

# FEDERAL REGISTER

THE NATIONAL ARCHIVES  
OF THE UNITED STATES  
1934

VOLUME 8                      NUMBER 193

*Washington, Wednesday, September 29, 1943*

## *The President*

### PROCLAMATION 2594

#### CAPTURE OF PRIZES

BY THE PRESIDENT OF THE UNITED STATES  
OF AMERICA  
A PROCLAMATION

WHEREAS the act of August 18, 1942, 56 Stat. 746, contains in part the following provisions:

*"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the district courts shall have original jurisdiction of all prizes captured during the present war on the high seas if said capture was made by authority of the United States or was adopted and ratified by the President of the United States and the prize was brought into the territorial waters of a cobelligerent or was taken or appropriated for the use of the United States on the high seas or in such territorial waters, including jurisdiction of all proceedings for the condemnation of such property taken as prize.*

*"SEC. 3. The jurisdiction of prizes brought into the territorial waters of a cobelligerent shall not be exercised under authority of this Act, nor shall prizes be taken or appropriated within such territorial waters for the use of the United States, unless the government having jurisdiction over such territorial waters consents to the exercise of such jurisdiction or to such taking or appropriation.*

*"SEC. 7. A cobelligerent of the United States which consents to the exercise of the jurisdiction herein conferred with respect to prizes of the United States brought into its territorial waters and to the taking or appropriation of such prizes within its territorial waters for the use of the United States shall be accorded, upon proclamation by the President of the United States, like privileges with respect to prizes captured under authority of such cobelligerent and brought into the territorial waters of the United States or taken or appropriated in the territorial waters of the United States for the use of such cobelligerent. Reciprocal recognition and full faith and credit shall be given to the jurisdiction*

acquired by courts of a cobelligerent hereunder and to all proceedings had or judgments rendered in exercise of such jurisdiction."

WHEREAS the Government of Canada, a cobelligerent, has consented to the exercise of the jurisdiction conferred by the said act with respect to prizes of the United States brought into the territorial waters of Canada and to the taking or appropriation of such prizes within the territorial waters of Canada for the use of the United States:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the authority vested in me by the said act of August 18, 1942, do proclaim that the Government of Canada shall be accorded like privileges with respect to prizes captured under authority of the said Government and brought into the territorial waters of the United States or taken or appropriated in the territorial waters of the United States for the use of the said Government.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 27th day of September, in the year of our Lord nineteen hundred and [SEAL] forty-three, and of the Independence of the United States of America the one hundred and sixty-eighth.

FRANKLIN D. ROOSEVELT

By the President:

ADOLF A. BERLE, Jr.,  
Acting Secretary of State.

[F. R. Doc. 43-16715; Filed, September 27, 1943; 12:39 p. m.]

## *Regulations*

### TITLE 7—AGRICULTURE

#### Chapter X—War Food Administration (Production Orders)

[FPO 14]

#### PART 1202—FARM MACHINERY AND EQUIPMENT

NEW FARM MACHINERY AND EQUIPMENT  
The fulfilment of requirements for the defense of the United States has resulted  
(Continued on next page)

## CONTENTS

### THE PRESIDENT

PROCLAMATION:	Page
Capture of prizes on the high seas, jurisdiction_____	13217

### REGULATIONS AND NOTICES

#### ALIEN PROPERTY CUSTODIAN:

##### Vesting orders:

Crespi, Giovanni B._____	13271
Geffcken, F. H. H., and H. R. Richter_____	13271
I. G. Farbenindustrie A. G. (2 documents)_____	13272, 13273
Junkers Flugzeug-und-Motorenwerke A. G. (2 documents)_____	13268, 13270
Kurtz-Hahnle, Carl, et al_____	13267
Legerlotz, Helmut_____	13271
Les Usines des Melle_____	13269
Liebknecht, Paul, and Maschinenfabrik Einstelel G. m. b. H._____	13272
Metallgesellschaft A. G._____	13273
N. V. Internationale Oxygenium Maatschappij Novadel_____	13268
Orkla Grube Aktiebolag, et al_____	13263
Peterson, Waldemar_____	13270
Raddatz, Martha_____	13267
Societe Anonyme des Ateliers Brillie Freres_____	13272

#### FEDERAL COMMUNICATIONS COMMISSION:

Orlando, Fla., hearing\_\_\_\_\_ 13262

#### FISH AND WILDLIFE SERVICE:

Wichita Mountains Wildlife Refuge, Oklahoma; administration\_\_\_\_\_ 13262

#### GENERAL LAND OFFICE:

Nevada, land withdrawal\_\_\_\_\_ 13261

#### INTERSTATE COMMERCE COMMISSION:

Fruit and vegetable cars; diversion; reconsignment or orders\_\_\_\_\_ 13262

#### Iceing permits:

Atchison, Topeka, and Santa Fe Railway Co. (2 documents)_____	13263, 13265
Common carriers by railroad (7 documents)_____	13264, 13265, 13266
Long Island Rail Road Co._____	13264
Missouri Pacific Railroad Co. (2 documents)_____	13263, 13264
Southern Pacific Co._____	13263

(Continued on next page)



Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington, D. C.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

#### CONTENTS—Continued

NAVY DEPARTMENT:	Page
Executive orders and proclamations applicable to Navy	13258
OFFICE OF ECONOMIC WARFARE:	
General in-transit licenses, amendments	13228
OFFICE OF PRICE ADMINISTRATION:	
Adjustment orders filed, list	13274
Adjustments, exceptions, etc.:	
Pacific Lumber Inspection Bureau, Inc.	13255
West Coast Bureau of Lumber Grades and Inspection	13255
Ammunition (Rev. SR 14, Am. 35)	13257
Apparel, fall and winter outerwear (MPR 438, Am. 2)	13257
Automotive parts (MPR 453, Am. 1)	13256
Beef and veal carcasses and cuts (RMPR 169, Am. 28)	13249
Gasoline and mileage rationing (RO 5C, Am. 74)	13251
Glass containers, wide mouth (MPR 382, Am. 4)	13251
Licensing:	
Provisions in certain price schedules and regulations, changes (SO 72)	13244
Registration:	
Second-hand machine tool dealers (Licensing 3)	13241
Waste and scrap dealers (Licensing 2)	13241
Sales made under price control (Licensing 1)	13240
Termination dates:	
Chemical and drug distributors (SO 11, Am. 2)	13242
Container sellers (SO 39, Am. 3)	13243

#### CONTENTS—Continued

OFFICE OF PRICE ADMINISTRATION—Continued.	Page
Licensing—Continued.	
Termination dates—Con.	
Iron and steel products sellers (SO 17, Am. 2)	13243
Lumber and building materials dealers (SO 18, Am. 2)	13243
Meat and meat products sellers (SO 14, Am. 2)	13243
Paper products distributors (SO 19, Am. 3)	13243
Second-hand machine tools dealers (SO 20, Am. 2)	13243
Waste and scrap dealers (SO 5, Am. 4)	13242
Yarn and textiles sellers (SO 36, Am. 1)	13243
Lumber:	
Douglas fir doors (RPS 44, Am. 2)	13246
Rotary cut southern hardwood box (MPR 176, Am. 6)	13250
West coast logs (MPR 161, Order 30)	13274
Motor transport carriers, adjustment application (SR 15, Am. 10)	13255
Paperboard products (MPR 187, Am. 6)	13256
Regional and district office orders:	
Food and drink sold for immediate consumption, Oklahoma City district, Okla.	13252
Ice, Mesa, Ariz.	13275
Lettuce, Cheyenne and Casper, Wyo.	13275
Milk:	
Grand Island, Nebr.	13275
Okanagan County, Wash.	13275
Plumbing services, Sioux Falls, S. Dak.	13275
Scavenger services, Monroe County, N. Y.	13274
Sanitary napkins and tampons (MPR 140, Am. 5)	13247
Tires, tubes, recapping and camelback (RO 1A, Am. 50)	13247
SECURITIES AND EXCHANGE COMMISSION:	
Hearings:	
Consolidated Electric and Gas Co. and Bluefield Gas Co.	13279
Engineers Public Service Co. and subsidiaries.	13276
General Water, Gas and Electric Co., et al.	13277
North American Co. and subsidiaries.	13277
Ogden Corp. and subsidiaries.	13276
People's Light and Power Co., et al. (2 documents)	13275, 13276
Scripps-Howard Investment Co.	13278
United Gas Corp., et al.	13278
TREASURY DEPARTMENT:	
Foreign funds control (4 documents)	13227, 13228

#### CONTENTS—Continued

WAR DEPARTMENT:	Page
U. S. Military Academy admission, miscellaneous amendments	13224
WAR FOOD ADMINISTRATION:	
Farm machinery and equipment, new:	
(FPO 14)	13217
(FPO 14, Supp. 1)	13221
Rice, delegation of authority	13279
WAR PRODUCTION BOARD:	
Acetone and diacetone (M-352)	13235
Chemicals, maintenance, repair and operating supplies (P-89)	13238
Flags (M-166)	13233
Mica (M-101)	13230
Newsprint paper (L-240)	13231
Plgs' and hogs' bristles (M-51)	13234
Power division, Office of War Utilities, table (M-293, Table 8)	13232
Priorities regulations: extension of preference ratings (PR 3, Am. 2)	13228
Reagent chemicals:	
(P-135)	13237
(P-135-a)	13237
Refrigeration condensers, coil or tube assemblies (L-126, Sch. III)	13229
Rubber, synthetic rubber, balata, etc. (R-1, Am. 4)	13240
Suspension orders:	
Deisroth, W. H., Inc.	13228
Southwest Manufacturing Co.	13228

in a shortage in the supply of rationed farm equipment for defense and for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

#### DEFINITIONS AND PURPOSE OF THIS ORDER

§ 1202.260 *Definitions.* When used in this order or in any order supplementary hereto:

(a) "Deputy Administrator" means the Deputy Administrator in charge of the Office of Materials and Facilities of the War Food Administration.

(b) "Manufacturer" means any person engaged in the business of making or assembling rationed farm equipment.

(c) "Mail order house" means any person engaged in the business of transferring rationed farm equipment for use directly to the transferees upon orders received primarily by mail.

(d) "Distributor" means any person engaged in the business of transferring rationed farm equipment other than for use.

(e) "Dealer" means any person engaged in the business of transferring rationed farm equipment for use.

Note: As the words, "manufacturer", "mail order house", "distributor" and "dealer" are used in this order, a single person may be classified in more than one such group, depending on whether he is engaged in more than one business as described in these definitions.

(f) "Person" means any individual, partnership, corporation, association,

business trust, or any organized group of persons, whether incorporated or not. The term "person" shall also include the United States, or any agency thereof, and a State or territory or any political subdivision or agency thereof.

(g) "Transfer" means any actual or purported act or transaction, whether or not evidenced by writing, the purpose, intent, or effect of which is to create, surrender, release, change, or alter, directly or indirectly, any right, title, interest, or possession with respect to any rationed farm equipment. The use of rationed farm equipment in agricultural operations by a dealer, distributor, mail order house or manufacturer shall be deemed a transfer. Notwithstanding the foregoing, the delivery of rationed farm equipment to a carrier for shipment or the delivery of rationed farm equipment by a carrier to a consignee shall not be deemed to be a transfer within the meaning of this order.

(h) "Rationed farm equipment" means new farm machinery, equipment or supplies which are listed in and controlled by orders supplementary hereto. Any such equipment which is transferred in violation of this order shall continue to be subject to this order. Imported rationed farm equipment shall become subject to this order upon its physical entry into the continental United States, its territories and possessions.

(i) "Attachment" for farm equipment means a supplementary appliance which may be added to an otherwise complete unit of farm equipment to extend the utility of such equipment.

(j) "Continental United States" means the forty-eight States and the District of Columbia.

(k) "Type of equipment" means any general class of equipment, such as tractors, combines, grain drills, etc.

§ 1202.261 *Purpose of this order.* This Food Production Order No. 14 establishes a general procedure for rationing the farm equipment which is listed in orders supplementary hereto. This order should be read in conjunction with such supplementary orders which set forth special procedures controlling the transfer of particular types of rationed farm equipment.

#### ADMINISTRATION

§ 1202.262 *Authority of the Deputy Administrator.* The administration of the rationing program established by this order and the powers of the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Deputy Administrator. The Deputy Administrator shall be assisted in the administration of such rationing program by the State and County USDA War Boards, the county farm rationing committees, and by such employees as the War Food Administrator may designate and such boards, committees and employees are hereby authorized to administer the provisions of this order. The State and County USDA War Boards shall perform their functions and duties under this order in accordance with instructions issued to them by the War Food Administrator. County farm ra-

tioning committees shall perform their functions and duties under this order in accordance with instructions issued through the State and County USDA War Boards.

§ 1202.263 *County Farm Rationing Committees.* The establishment of a county farm rationing committee in each county having a substantial agricultural area is hereby authorized. Each county farm rationing committee shall consist of three regular members, none of whom shall be dealers. One of the regular members shall be the chairman of the county agricultural conservation committee, who shall be chairman of the county farm rationing committee. If the chairman of the county agricultural conservation committee is a dealer or, for any other reason, is unable to serve, the County USDA War Board shall select, as a member and chairman of the county farm rationing committee, a regular or alternate member of the county agricultural conservation committee who is not a dealer. The other two regular members and the two alternate members of the county farm rationing committee shall be appointed by the County USDA War Board, shall be farmers resident in the county, and shall not be members of the county agricultural conservation committee. The regular and alternate members of the county farm rationing committee shall serve without compensation. Vacancies on the county farm rationing committee shall be filled in the same manner as the original committee is herein authorized to be established.

(b) County farm rationing committees appointed under Food Production Order No. 3, as amended,<sup>1</sup> shall continue to serve as though appointed under this order.

(c) The county farm rationing committee for Montgomery County, State of Maryland, shall also serve with respect to the District of Columbia.

#### RESTRICTIONS ON TRANSFERS

§ 1202.264 *General restrictions.* Except as otherwise provided in this order, regardless of the terms of any contract of sale or purchase, or other commitment, whenever made, no person shall make a transfer, or accept a transfer of any rationed farm equipment, except pursuant to this order and orders supplementary hereto or other orders of the War Food Administrator, or pursuant to directives which may be issued by the Deputy Administrator.

§ 1202.265 *Transfers which require purchase certificates.* Unless otherwise specified in this order or in any order supplementary hereto, no person shall make a transfer or accept a transfer for agricultural use of rationed farm equipment, except pursuant to a purchase certificate issued in accordance with this order.

§ 1202.266 *Transfers which do not require purchase certificates.* (a) Unless otherwise specified in any order supplementary hereto, no purchase certificate

shall be required in the case of a transfer of rationed farm equipment which is not a transfer for use.

(b) Any manufacturer may make a transfer and any person may accept a transfer of rationed farm equipment without a purchase certificate if such transfer: (1) is of equipment manufactured by such manufacturer; (2) is being transferred for the primary purpose of experimentation rather than agricultural production; (3) is in accordance with such manufacturer's previous usual practice of conducting experiments with equipment manufactured by him; and (4) is made without consideration from the transferee. As soon as the experimental use is completed, the equipment shall be retransferred to the manufacturer. Such equipment shall be deemed new equipment, until it is sold for use in accordance with this order.

(c) Unless otherwise provided in a supplementary order, any Federal agency desiring any rationed farm equipment, any person desiring to acquire rationed farm equipment for export from and consumption or use outside the continental United States, its territories and possessions, and any person desiring to acquire rationed farm equipment for non-agricultural use may acquire such rationed farm equipment provided there is compliance with any and all applicable regulations of the War Production Board including, if necessary, the acquisition of a priority rating.

#### ACQUISITION AND USE OF PURCHASER CERTIFICATES

§ 1202.267 *Applications for purchase certificates.* Any person who desires to acquire rationed farm equipment for agricultural use in the continental United States, for which a purchase certificate is required, may file with the county farm rationing committee for the county in which such equipment is to be principally used an application for a purchase certificate for such equipment.

§ 1202.268 *Standards of eligibility.* The Deputy Administrator may from time to time establish or direct States USDA War Boards to establish standards for the guidance of county farm rationing committees in determining the eligibility of applicants for purchase certificates for any type of rationed farm equipment. Such standards may differ from State to State and from county to county. Such standards shall be designed so that the maximum utility of the rationed farm equipment can be obtained for the food program.

§ 1202.269 *Action by county farm rationing committee on application.* The county farm rationing committee shall at all times serve the objectives sought by the rationing program and allocate rationed farm equipment only for uses essential to the war effort and then in the order that such uses are most vital. The determination of facts in each case shall be made by the county farm rationing committee upon the basis of the application and all other information available to such committee.

§ 1202.270 *Notification of applicant.* After action upon an application the

<sup>1</sup> 8 FR. 5963, 7299, 7625, 8045, 9100, 9101, 10343, 11607.

county farm rationing committee shall notify the applicant in writing of its decision. If the application is denied, the county farm rationing committee shall inform the applicant of the manner in which an appeal may be made.

§ 1202.271 *Issuance of purchase certificates.* Upon approval of applications, county farm rationing committees shall issue purchase certificates to applicants on a form prescribed by the Deputy Administrator. Such certificates shall be non-transferable. Unless otherwise specified in any supplementary order, a separate purchase certificate shall be issued for each unit of rationed farm equipment.

§ 1202.272 *Expiration or revocation of purchase certificates.* Transfer of any equipment described in a purchase certificate must be made on or before the expiration date named in such purchase certificate. Such expiration date may be fixed by the county farm rationing committee. Such purchase certificate shall be void if transfer is not made before the expiration date. The county farm rationing committee, however, may extend the expiration date. The county farm rationing committee may revoke a purchase certificate at any time before the purchase of the equipment described in such certificate has been completed, if it is satisfied (a) that the person to whom the purchase certificate was issued has misrepresented his circumstances in obtaining the certificate; or (b) that the circumstances of such person have so changed that the acquisition by such person of the equipment described in the purchase certificate would be contrary to the objectives sought by the rationing program; or (c) that such person is not proceeding in good faith to acquire the equipment described in the purchase certificate; or (d) that such purchase certificate was issued by mistake.

§ 1202.273 *Action by applicant.* After receipt of a purchase certificate an applicant shall sign the certificate and present it to the person from whom the equipment is to be purchased.

§ 1202.274 *Action by dealer.* A dealer shall not honor a purchase certificate unless such certificate is delivered to him properly executed by the county farm rationing committee and the purchaser. Upon transferring the rationed farm equipment described in a purchase certificate the dealer shall notify the county farm rationing committee of such transfer in the manner specified on the certificate.

#### APPEALS

§ 1202.275 *Appeal to State USDA War Board.* Any applicant for a purchase certificate who has good reason to believe that the ruling of the county farm rationing committee on his application is not in accordance with the provisions of this order may, within 30 calendar days after written notification of such ruling, appeal to the State USDA War Board from such ruling. In so doing, the applicant shall file a written statement setting forth the specific reasons why he believes the action taken by the

county farm rationing committee was not in accordance with this order. Such appeal shall be filed with the County USDA War Board for the same county as the county farm rationing committee appealed from. The County USDA War Board shall promptly transmit such appeal to the State USDA War Board, together with such other pertinent information as the County USDA War Board deems appropriate.

§ 1202.276 *Action by the State USDA War Board.* (a) The State USDA War Board may require the county farm rationing committee or the applicant to furnish pertinent information in addition to that furnished to the county farm rationing committee with respect to the appeal pending before such Board. The State USDA War Board may affirm, reverse, or modify the ruling of the county farm rationing committee. The action of the State USDA War Board shall in all respects be in accordance with the provisions of this order.

(b) The State USDA War Board's decision shall be made as soon as is reasonably possible, shall be in writing, and notification thereof shall be given to the applicant and to the county farm rationing committee.

§ 1202.277 *Review of State USDA War Board action.* If an applicant has good reason to believe that the decision of the State USDA War Board on his appeal is not in accordance with the provisions of this order, he may, within 30 calendar days after notification thereof, file a written petition for review by the Deputy Administrator. Such written petition shall set forth the specific reasons why the applicant believes the decision of the State USDA War Board is not in accordance with the provisions of this order. The Deputy Administrator may require the furnishing of pertinent information by the applicant, the county farm rationing committee, or the State USDA War Board. The Deputy Administrator may affirm, reverse or modify the decision of the State USDA War Board, and he may remand the matter to the county farm rationing committee. The decision of the Deputy Administrator shall be in writing and shall be communicated to the applicant, to the county farm rationing committee, and to the State USDA War Board, and shall be final.

§ 1202.278 *Other appeals.* Any person seeking relief of a type not otherwise provided for in this order may file with the Deputy Administrator a written statement of the relief which he seeks and the reasons why he believes he is entitled to such relief. The Deputy Administrator may grant such relief, if it would not defeat or impair the effectiveness of the rationing program established by this order and if the granting of similar relief to all persons in like circumstances would not hinder such program. The decision of the Deputy Administrator shall be in writing and shall be final.

#### RECORDS AND REPORTS

§ 1202.279 *Records and reports.* (a) Each dealer shall maintain for at least two years a file containing all purchase certificates, or copies thereof,

which are accepted by such dealer. (This requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.)

(b) Each manufacturer, mail order house, distributor and dealer shall make such reports and furnish such information as may be required from time to time by the Deputy Administrator, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(c) Each manufacturer, mail order house, distributor and dealer shall permit duly authorized representatives of the War Food Administration to audit and inspect his records and to inspect his inventories of rationed farm equipment.

#### ENFORCEMENT

§ 1202.280 *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, knowingly conceals a material fact or furnishes false information to any department or agency of the United States (including county farm rationing committees and State and County USDA War Boards), or who conspires with another person to perform any of such acts, is guilty of a crime and, upon conviction may be punished by fine and imprisonment. In addition, any such person may by administrative suspension order be prohibited from receiving any deliveries of, or selling or otherwise disposing of, or using any rationed farm equipment or any other materials now or hereafter authorized to be rationed or allocated by, or subject to the priority control of, the War Food Administration, and may be deprived of any priority assistance. Further, the Deputy Administrator may recommend to the Office of Price Administration or to the War Production Board that any person who violates any provision of this order or any amendment or supplement thereto be denied the right to receive, use, sell, or otherwise dispose of any other materials which now are or in the future may be under allocation.

§ 1202.281 *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to the Deputy Administrator in charge of the Office of Materials and Facilities, War Food Administration, Washington 25, D. C., Ref: FFO 14.

§ 1202.282 *Food Production Order No. 3 superseded.* Food Production Order No. 3, as amended, is hereby superseded: *Provided*, That distribution directives issued to individual manufacturers under Food Production Order No. 3, as amended,<sup>2</sup> for types of equipment listed on Schedules I and II of Supplementary Order No. 1 of this order shall remain in full force and effect, except as to the tagging provisions thereof: *And provided further*, That all provisions of Food Production Order No. 3, as amended,<sup>2</sup> shall continue to remain in full force and effect for the purpose of allowing or sustaining any suit, action, prosecution

<sup>2</sup> 8 FR. 5963, 7299, 7625, 8045, 9100, 9101, 10343, 11607.

or administrative or other proceeding, heretofore or hereafter commenced with respect to any violation committed or right or liability accruing under or pursuant to the terms of such provisions.

§ 1202.283 *Effective date.* This order shall become effective October 15, 1943.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 27th day of September 1943.

MARVIN JONES,  
War Food Administrator.

[F. R. Doc. 43-15709; Filed, September 27, 1943; 11:26 a. m.]

[FPO 14, Supp. Order 1]

PART 1202—FARM MACHINERY AND EQUIPMENT

NEW FARM MACHINERY AND EQUIPMENT

§ 1202.301 *Purpose of this supplementary order.* This supplementary order explains the procedure to be followed in distributing listed farm machinery and equipment from manufacturers to retail outlets and it also sets forth the requirements of the rationing program which are of special importance to persons desiring such equipment. This supplementary order should be read in conjunction with Food Production Order No. 14 which establishes the general rationing program, and which contains definitions of certain terms used herein.

§ 1202.302 *Scope.* This supplementary order deals only with rationed farm equipment as defined in Food Production Order No. 14, of the types listed in Schedules I, II and III of this supplementary order, which is produced for farm use in the United States, its territories and possessions. Such equipment is referred to generally in this supplementary order as "listed farm machinery and equipment." Listed farm machinery and equipment, depending upon the Schedule in which it is listed, also is referred to as Schedule I equipment, Schedule II equipment and Schedule III equipment.

This supplementary order does not deal with repair parts or attachments. No type of equipment which is listed in Schedules I, II and III shall be deemed to be an attachment or repair part.

§ 1202.303 *Compliance with this supplementary order.* Except as provided in § 1202.307, no person shall make a transfer or accept a transfer of listed farm machinery and equipment except pursuant to this order or other orders of the War Food Administrator, or pursuant to directives which may be issued by the Deputy Administrator.

§ 1202.304 *Manufacturer's reports on State and county distribution plans.* (a) On or before October 20, 1943, each manufacturer shall make a written report to the Deputy Administrator with respect to each type of listed farm machinery and equipment. For Schedule I and Schedule II equipment, such report shall be made in the form set forth in

Exhibit A attached hereto, and, for Schedule III equipment, such report shall be made in the form set forth in Exhibit B attached hereto. This report is sometimes hereinafter referred to as the "State distribution plan." (Changes may be made in a State distribution plan under the provisions of paragraph (c) (2) of § 1202.305.)

(b) On or before November 5, 1943, each manufacturer shall make a written report, in the form set forth in Exhibit C attached hereto, to the State USDA War Board for each State with respect to the units of Schedule I equipment reported by him to the Deputy Administrator for distribution in such State pursuant to paragraph (a) of this section. Such report shall show the manufacturer's proposed distribution of such equipment by counties. This report is sometimes hereinafter referred to as the "county distribution plan." The State USDA War Board may, on or before November 20, 1943, change a county distribution plan by not more than 10 percent of the units of each type of equipment, but changes affecting more than 10 percent of any type of equipment may be made with the consent of the manufacturer. (This authority to change a county distribution plan shall not be construed to permit an increase in the total number of units of any type of equipment to be transferred in any State under such plan.) On or before November 20, 1943, the State USDA War Board shall notify the manufacturer of any change in his county distribution plan or that it will make no such change. (Other changes in a county distribution plan may be made under the provisions of paragraph (c) (2) of § 1202.305.)

(c) If a manufacturer is authorized at any time to manufacture listed farm machinery and equipment in addition to that shown in his reports made pursuant to paragraphs (a) and (b) of this section, such manufacturer shall, within 30 days of his receipt of such authorization, make a supplemental report to the Deputy Administrator with respect to such equipment in the same form as is required by paragraph (a) of this section and, in the case of Schedule I equipment, shall also make a supplemental report to the State USDA War Boards with respect to such equipment in the same form as is required by paragraph (b) of this section. With respect to any such report to a State USDA War Board, such board shall have 15 days in which to exercise its option to change the county distribution plan and to notify the manufacturer in accordance with the provisions of paragraph (b) of this section. (The reporting requirements of paragraphs (a), (b) and (c) of this section have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.)

(d) On or before November 26, 1943, the State USDA War Boards shall notify each county farm rationing committee of the number of units of Schedule I equipment expected to be available for such county according to the county distribution plans. On and after December

1, 1943, no county farm rationing committee shall issue any purchase certificates for Schedule I equipment in excess of such number, unless expressly permitted to do so by its State USDA War Board. The State USDA War Boards are hereby authorized to grant such permission.

§ 1202.305 *Manufacturer's transfer of listed farm machinery and equipment.*

(a) Until a manufacturer has transferred listed farm machinery and equipment sufficient to fill distribution directives issued to him under Food Production Order No. 3, as amended,<sup>1</sup> for any type of Schedule I or Schedule II equipment, he shall not make any other transfers of such type of equipment.

(b) Subject to the directives mentioned in paragraph (a) of this section covering any Schedule I or Schedule II equipment, a manufacturer may transfer, without reference to any distribution plan but otherwise in accordance with this Supplementary Order, any type of Schedule I, Schedule II or Schedule III equipment which was produced by him prior to July 1, 1943.

(c) (1) Subject to the provisions of paragraph (c) (2) of this section, after having made the reports to the Deputy Administrator and to the State USDA War Boards pursuant to paragraphs (a), (b) and (c) of § 1202.304, a manufacturer shall transfer listed farm machinery and equipment covered by such reports in accordance with his State and county distribution plans (including any county distribution plan as changed by a State USDA War Board pursuant to paragraph (b) of § 1202.304). (Pending a State USDA War Board's action changing a county distribution plan, Schedule I equipment may be transferred in accordance with the county distribution plan contained in the manufacturer's report.) It is the intent of this requirement that listed farm machinery and equipment shall be so distributed as to be readily available in the trade areas comprising the various States and counties, in the quantities and types to which such States and, in the case of Schedule I equipment, counties are entitled under the distribution plans. A manufacturer will comply with this requirement by transferring listed farm machinery and equipment, which is for any State or, in the case of Schedule I equipment, county in accordance with his distribution plans, to a distributor or dealer whose trade territory includes part or all of such State or county, or to an individual for agricultural use in such State or county. Beginning not later than November 5, 1943, when a manufacturer transfers such equipment to a dealer, he shall notify such dealer of the State and, in the case of Schedule I equipment, of the county for which such equipment is intended for ultimate transfer for agricultural use. When a distributor receives any listed farm machinery and equipment from a manufacturer pursuant to this paragraph, he,

<sup>1</sup> 8 F.R. 5363, 7233, 7625, 8045, 9160, 9101, 10343, 11697.



likewise, shall transfer such equipment to a dealer only in accordance with such manufacturer's distribution plans, and, beginning not later than November 5, 1943, shall notify such dealer of the State and, in the case of Schedule I equipment, of the county for which such equipment is intended for ultimate transfer for agricultural use. The notification to a dealer by a manufacturer or distributor required by this paragraph shall be given as early as possible, but not later than the date of shipment of the equipment.

(2) State and county distribution plans with respect to any type of listed farm machinery and equipment may be changed at any time in the following manner:

(i) In the case of Schedule I equipment, a manufacturer or distributor may change the manufacturer's county distribution plan within a State with the approval of the State USDA War Board. In seeking such approval, such manufacturer or distributor shall inform the State USDA War Board of the quantity, make and type of the equipment involved and of the counties from which such equipment would be taken and the counties in which it would be placed.

(ii) If the equipment has not been shipped from the factory, a manufacturer may appeal to the Deputy Administrator for permission to change his State distribution plan. In making this appeal, the manufacturer shall inform the Deputy Administrator of (a) the quantity, make and type of the equipment involved, (b) the States from which such equipment would be taken and the States in which it would be placed, and (c), in the case of Schedule I equipment, the counties in which such equipment would be placed. This appeal shall be accompanied by a written statement of concurrence from the State USDA War Board for the State from which such equipment would be taken.

(iii) If the equipment has been shipped from the factory to a manufacturer's branch house or to a distributor, the manufacturer or distributor may change the manufacturer's State distribution plan with the permission of the State USDA War Board for the State from which the equipment would be taken. In seeking such permission, the manufacturer or distributor shall inform the State USDA War Board of (1) the quantity, make and type of the equipment involved, (2), in the case of Schedule I equipment, the counties from which such equipment would be taken, and (3) the State, and in the case of Schedule I equipment, the counties in which such equipment would be placed. If the State USDA War Board permits the proposed change in the State distribution plan to be made, such board shall notify the Deputy Administrator accordingly, informing him of (1) the quantity, make and type of the equipment involved and (2) the State and, in the case of Schedule I equipment, counties in which such equipment will be placed. The State USDA War Board shall transmit a copy of this notification to the State USDA

War Board for the State in which the equipment will be placed.

(d) Excluding Schedule I and Schedule II equipment transferred or to be transferred in accordance with directives issued under Food Production Order No. 3, as amended,<sup>2</sup> 20 percent of each manufacturer's scheduled production of all listed farm machinery and equipment, which is required to be reported to the Deputy Administrator by paragraph (a) of § 1202.304 shall constitute a reserve to be transferred only as directed by the Deputy Administrator. The Deputy Administrator is hereby authorized to direct the transfer of such reserve. In so doing, the Deputy Administrator may direct the transfer of a manufacturer's current production at any given time or inventory of such equipment.

§ 1202.306 *Transfers for agricultural use.* (a) No person, other than a Federal Government agency, shall make a transfer or accept a transfer of Schedule I or Schedule II equipment for agricultural use, except pursuant to a purchase certificate specifying the type of equipment being transferred. No purchase certificate shall be required in the case of a transfer of Schedule III equipment.

(b) Purchase certificates issued under Food Production Order No. 3, as amended,<sup>3</sup> for any type of farm machinery and equipment listed on Schedule I or Schedule II of this supplementary order shall continue to be valid as though issued under this order until their revocation or expiration. All purchase certificates issued on or before November 30, 1943, however, shall automatically expire at 12 midnight on that date.

(c) Dealers may transfer any Schedule I or Schedule II equipment to any person holding a purchase certificate for such equipment issued by any county farm rationing committee. Whenever any dealer has on hand any item of Schedule I or Schedule II equipment for which there is no apparent holder of a purchase certificate desiring such equipment, such dealer shall notify any one county farm rationing committee of the make and type of such equipment.

§ 1202.307 *Transfers for non-agricultural use and to a Federal agency.* Any Federal agency desiring to acquire any Schedule I or Schedule II equipment and any person desiring to acquire any such equipment for non-agricultural use may acquire such equipment, without a purchase certificate, provided there is compliance with War Production Board Order L-257<sup>4</sup> and any and all other applicable War Production Board regulations including, if necessary, the acquisition of a priority rating.

#### MISCELLANEOUS PROVISIONS

§ 1202.308 *Records and reports by dealers and others.* (a) Each dealer and each retail store of a mail order house transferring any unit of Schedule I or Schedule II equipment with a selling

<sup>2</sup> 8 F.R. 5963, 7299, 7625, 8045, 9100, 9101, 10343, 11607.

<sup>3</sup> 8 F.R. 5963, 7299, 7625, 8045, 9100, 9101, 10343, 11607.

<sup>4</sup> 8 F.R. 8163, 9712, 10300, 11717.

price of \$15.00 or more shall prepare an invoice or sales ticket containing the total sales price and a complete description of the equipment transferred, and shall forward such invoice or sales ticket to the county farm rationing committee issuing the purchase certificate covering such equipment, along with the notification required by § 1202.274 of Food Production Order No. 14.

(b) Mail order houses transferring through mail order channels any unit of Schedule I or Schedule II equipment with a selling price of \$15.00 or more, shall transmit to the county farm rationing committee issuing the purchase certificate covering such equipment a true statement to the effect that the price for which the equipment was sold by such mail order house was not in excess of the price published for the equipment in the mail order house's latest current catalog. The statement shall accompany, or may be stamped on, the notification required by § 1202.274 of Food Production Order No. 14. (The reporting requirements of paragraphs (a) and (b) of this section have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.)

(c) Reports made pursuant to this section shall be treated as confidential and shall be open for inspection only by duly authorized representatives of the Office of Price Administration or the War Food Administration, unless otherwise directed by the Deputy Administrator.

§ 1202.309 *Manufacturer's records.* Each manufacturer shall maintain for at least two years records of all transfers of listed farm machinery and equipment made by such manufacturer pursuant to this supplementary order. Such records shall show the States for which such equipment was transferred, and, in the case of Schedule I equipment, the counties for which such equipment was transferred. (This record keeping requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.)

§ 1202.310 *Territorial application.* This Supplementary Order No. 1 shall apply only within the limits of the continental United States. (The transfer of farm machinery and equipment to the territories and possessions of the United States is controlled by Food Production Order No. 14, Supplementary Order No. 2.)

§ 1202.311 *Incorporation into Food Production Order No. 14.* This Supplementary Order No. 1 shall be added to and become a part of Food Production Order No. 14 and any violation of this Supplementary Order No. 1 shall be deemed to be a violation of Food Production Order No. 14.

§ 1202.312 *Communications.* All communications concerning this supplementary order shall, unless otherwise directed, be addressed to the Deputy Administrator in charge of the Office of Materials and Facilities, War Food Administration, Washington 25, D. C., Ref: FFO 14, Supp. 1.

§ 1202.313 *Effective date.* This supplementary order shall become effective October 15, 1943.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 27th day of September 1943.

MARVIN JONES,  
War Food Administrator.

#### EXHIBIT A

[This form may be reproduced by manufacturers]

MANUFACTURER'S REPORT ON SCHEDULE I AND SCHEDULE II EQUIPMENT TO DEPUTY ADMINISTRATOR, WAR FOOD ADMINISTRATION, WASHINGTON, D. C.

NOTE: 1. Report is due on or before October 20, 1943. (Report on any supplemental production is due 30 days from date of authorization.)

2. Use a separate form for each type of equipment, i. e., tractors, combines, etc. Report orchard sprayers and row crop sprayers as separate types of equipment.

3. When reporting supplemental production insert number of units to be distributed under item III (d) and omit items II, III (a), (b) and (c).

Name of manufacturer \_\_\_\_\_  
Address of manufacturer \_\_\_\_\_  
I. Type of equipment \_\_\_\_\_  
FPO-14 Supp. 1 Item No.(s) \_\_\_\_\_

II. Total scheduled production (July 1, 1943, through July 31, 1944) for farm use in the United States, its territories and possessions (Claimant Agency—War Food Administration) \_\_\_\_\_

III. Computation of number of units to be distributed:

(a) No. units produced on or after July 1, 1943, and which have been distributed in accordance with directives issued under Food Production Order 3 \_\_\_\_\_

(b) No. units produced and to be produced on or after July 1, 1943, and still to be distributed in accordance with directives issued under Food Production Order 3 \_\_\_\_\_

(c) Total subject to directives—(a) plus (b) \_\_\_\_\_

(d) Net (II minus III (c)) \_\_\_\_\_

IV. Distribution by manufacturer (80% of net—III (d)) \_\_\_\_\_

V. Reserve (20% of net—III (d)) \_\_\_\_\_  
(To be distributed in accordance with orders or directives issued by the Deputy Administrator) \_\_\_\_\_

VI. Report of manufacturer's distribution plan by States: (Total for States should equal figure in IV.) \_\_\_\_\_

State	Units

(Extend list by using back side or additional sheet, if necessary.)

Date \_\_\_\_\_  
Manufacturer \_\_\_\_\_  
By \_\_\_\_\_  
Title \_\_\_\_\_

#### EXHIBIT B

[This form may be reproduced by manufacturers]

MANUFACTURER'S REPORT ON SCHEDULE III EQUIPMENT TO DEPUTY ADMINISTRATOR, WAR FOOD ADMINISTRATION, WASHINGTON, D. C.

NOTE: 1. Report is due on or before October 20, 1943. (Report on any supplemental pro-

duction is due 30 days from date of authorization)

2. Use a separate form for each type of equipment, i. e., moldboard plows, cultivators (horse and tractor drawn), cultivators (tractor mounted) etc.

3. When reporting supplemental production omit items II and III.

Name of manufacturer \_\_\_\_\_  
Address of manufacturer \_\_\_\_\_

I. Type of equipment \_\_\_\_\_  
FPO-14 Supp. 1 Item No.(s) \_\_\_\_\_

II. Total scheduled production (July 1, 1943, through July 31, 1944) for farm use in the United States, its territories and possessions (Claimant Agency—War Food Administration) \_\_\_\_\_

III. No. units produced on or after July 1, 1943, and distributed from July 1, 1943, through October 14, 1943, in accordance with directives issued under Food Production Order 3 \_\_\_\_\_

IV. Net (II minus III) \_\_\_\_\_

V. Distribution by manufacturer (80% of net—IV) \_\_\_\_\_

VI. Reserve (20% of net—IV) (To be distributed in accordance with orders or directives issued by the Deputy Administrator) \_\_\_\_\_

VII. Report of manufacturer's distribution plan by States: (Total for States should equal figure in IV) \_\_\_\_\_

State	Units

(Extend list by using back side or additional sheet, if necessary.)

Date \_\_\_\_\_  
Manufacturer \_\_\_\_\_  
By \_\_\_\_\_  
Title \_\_\_\_\_

#### EXHIBIT C

[This form may be reproduced by manufacturers]

FARM MACHINERY MANUFACTURER'S REPORT TO STATE WEDA WAR BOARD

NOTE: (1) Required for Schedule I equipment only. (Report on any supplemental production is due 30 days from date of authorization.)

(2) Report due on or before November 5, 1943.

(3) Use a separate form for each type of equipment, i. e., tractors, combines, etc. Report orchard sprayers and row crop sprayers separately.

Name of manufacturer \_\_\_\_\_  
Address of manufacturer \_\_\_\_\_

I. Type of equipment \_\_\_\_\_  
FPO-14 Supp. 1 Item No.(s) \_\_\_\_\_

II. Report of manufacturer's distribution plan by counties: (The total for all counties within the State should equal the total for the State as reported to the Deputy Administrator.) \_\_\_\_\_

County	Units

(Extend list by using back side or additional sheet, if necessary.)

Date \_\_\_\_\_  
Manufacturer \_\_\_\_\_  
By \_\_\_\_\_  
Title \_\_\_\_\_

#### SCHEDULE I

PLANTERS (HORSE OR TRACTOR DRAWN AND TRACTOR MOUNTED)

##### Item No.

- 4 Two row, corn, horse or tractor drawn.
- 5 Two row, corn and cotton, horse or tractor drawn.
- 6 Three row and over, corn, horse or tractor drawn.
- 7 Three row and over, corn and cotton, horse or tractor drawn.
- 8 One row, corn, tractor mounted.
- 9 One row, corn and cotton, tractor mounted.
- 10 Two row, corn, tractor mounted.
- 11 Two row, corn and cotton, tractor mounted.
- 12 Three row and over, corn, tractor mounted.
- 13 Three row and over, corn and cotton, tractor mounted.

POTATO PLANTERS (HORSE AND TRACTOR DRAWN)

- 14 One row.
- 14a Two row and larger.

MISTERS WITH PLANTING ATTACHMENTS (HORSE OR TRACTOR DRAWN AND TRACTOR MOUNTED)

- 17 One row, horse or tractor drawn.
- 18 Two row, horse or tractor drawn.
- 19 Three row and over, horse or tractor drawn.
- 20 One row, tractor mounted.
- 21 Two row, tractor mounted.
- 22 Three row and over, tractor mounted.

GRAIN DRILLS (HORSE OR TRACTOR DRAWN)

- 25 Fertilizer, 14 run and under.
- 25a Fertilizer, over 14 run.
- 26 Plain, 14 run and under.
- 26a Plain, over 14 run.
- 26b Press Drills.
- 26c Plain Drills.

#### MANURE SPREADERS

- 36 Four wheel, horse or tractor drawn.
- 37 Two wheel, tractor drawn.

POWER SPRAYERS (ORCHARD TYPE)

- 103a Orchard type, six to ten G. P. M., auxiliary engines.
- 103b Orchard type, six to ten G. P. M., power take-off.
- 103c Orchard type, eleven to twenty G. P. M., auxiliary engines.
- 103d Orchard type, eleven to twenty G. P. M., power take-off.
- 103e Orchard type, over twenty G. P. M., auxiliary engines.
- 103f Orchard type, over twenty G. P. M., power take-off.
- 103n Propeller blast type.

POWER SPRAYERS (ROW CROP TYPE)

- 103j Field or row crop type, six to ten G. P. M., auxiliary engines.
- 103h Field or row crop type, six to ten G. P. M., power take-off.
- 103i Field or row crop type, eleven to twenty G. P. M., auxiliary engines.
- 103l Field or row crop type, eleven to twenty G. P. M., power take-off.
- 103k Field or row crop type, over twenty G. P. M., auxiliary engines.
- 103l Field or row crop type, over twenty G. P. M., power take-off.
- 103m Field or row crop type, tractor mounted.
- 103a Traction sprayers, six G. P. M., and over.

COMBINES (HARVESTER-THRESHERS)

- 126 Width of cut, 6' and under, auxiliary engines.
- 126a Width of cut, 6' and under, power take-off.
- 127 Width of cut, over 6', including 10'.
- 128 Width of cut, over 10'.

#### CORN BINDERS

- 132 Corn binders, ground drive.
- 132a Corn binders, power take-off.

## CORN PICKERS

- Item No.  
 133 One row, mounted type.  
 134 Two row, mounted type.  
 135 One row, pull type.  
 136 Two row, pull type.

## POTATO DIGGERS AND PICKERS

- 139 One row, ground drive.  
 139a One row, power take-off.  
 139b Two row, power take-off.  
 139c Potato pickers.

## MOWERS

- 146 Horse or tractor drawn (ground drive).  
 147 Tractor mounted or semi-mounted (power take-off drive).

## RAKES

- 149 Side delivery (including combination side rakes and tedders).

## HAY LOADERS

- 151 Hay loaders.

## PICK-UP HAY BALERS

- 153 Pick-up hay balers—power take-off.  
 153a Pick-up hay balers—auxiliary engine.

## ENSILAGE CUTTERS—SILO FILLERS

- 162 Ensilage cutters (silo fillers).

## STATIONARY HAY AND STRAW BALERS

- 172 Auxiliary engines.  
 172a Belt driven.  
 172b Power take-off.

## SORTERS AND GRADERS

- 177 Potato sorters and graders.

## TRACTORS

- 192 Special purpose, under 30 H.P.  
 193 Special purpose, 30 H.P. and over.  
 194 All purpose, under 30 H.P.  
 195 All purpose, 30 H.P. and over.

## SCHEDULE II

## FIELD ENSILAGE HARVESTERS

- 137 Field ensilage harvesters (row type).

## HAYING MACHINERY

- 154 Field haychoppers and harvesters.

## FEED GRINDERS AND CRUSHERS

- 174 Power, burr type.  
 175 Hammer type.  
 175a Roughage mills, combination type with cutter head and grinders.

## ELEVATORS—PORTABLE

- 188 Elevators, portable.

## BLOWERS

- 190 Blowers, grain.  
 190a Blowers, forage.

## GARDEN TRACTORS

- 196 Garden tractors (including motor tillers).

## MILKING MACHINES

- 237 Milking machines (complete outfits).

## FARM MILK COOLERS

- 241 Immersion type.  
 242 Surface or tubular type.

## DEEP AND SHALLOW WELL WATER SYSTEMS

- 213 Deep well, reciprocal.  
 214 Deep or shallow well, jet type.  
 215 Shallow well, 250-499 gallons per hour.  
 216 Shallow well, 500 gallons per hour and over.

## POWER PUMPS

- 217 Horizontal type, up to and including 75 gallons p. m. 100 lbs. pressure.

## WINDMILLS

- 222 Windmill heads.  
 223 Windmill towers.

## IRRIGATION PUMPS

- Item No.  
 227 Turbine pumps, 0 to 1,200 G. P. M.  
 228 Turbine pumps, 1,200 G. P. M. and up, belt driven.  
 229 Centrifugal pumps.

## SCHEDULE III

## BEET AND BEAN DRILLS OR PLANTERS

- 23 Four row, horse or tractor drawn.  
 23a Six row, horse or tractor drawn.  
 23b Four row, tractor mounted.  
 23c Six row, tractor mounted.

## MOLEBOARD PLOWS (TRACTOR DRAWN OR MOUNTED)

- 47 One bottom, tractor drawn.  
 47a One bottom, two way (one furrow), tractor drawn.  
 48 Two bottom, tractor drawn.  
 48a Two bottom, two way (two furrow), tractor drawn.  
 49 Three bottom, tractor drawn.  
 50 Four bottom, tractor drawn.  
 51 Five bottom, and larger, tractor drawn.  
 52 One bottom, tractor mounted.  
 52a One bottom, two way (one furrow), tractor mounted.  
 53 Two bottom, tractor mounted.

## DISC PLOWS (TRACTOR MOUNTED)

- 55 One disc.  
 56 Two disc.  
 57 Three disc.  
 58 One disc—direct connected (one wheel type).  
 59 Two disc—direct connected (one wheel type).  
 59a Three disc—direct connected (one wheel type).  
 59b Three disc, tool bar type.  
 60 Four disc.  
 61 Five disc.  
 62 Six disc and larger.

## ONE WAY DISC PLOWS OR TILLERS

- 63 Under five feet.  
 63a Five feet and under eight feet.  
 63b Eight feet and over.

## MIDDLEBUSTERS—LISTERS WITHOUT PLANTING ATTACHMENTS (HORSE OR TRACTOR DRAWN AND TRACTOR MOUNTED)

- 65 Two row, horse or tractor drawn.  
 66 Three row, and larger, horse or tractor drawn.  
 67 One row, tractor mounted.  
 68 Two row, tractor mounted.  
 69 Three row and larger, tractor mounted.  
 69a Three row ridgers.

## DISC HARROWS

- 80 Disc harrows, reversible, row disc, horse or tractor drawn.  
 80a Disc harrows, single, six feet and under (horse drawn type).  
 80b Disc harrows, single, over six feet (horse drawn type).  
 80c Disc harrows, tandem attachment for horse drawn type.  
 80d Disc harrows, single and tandem, six feet and under, tractor drawn.  
 80e Disc harrows, single and tandem, over 6 feet and under 11 feet, tractor drawn.  
 80f Disc harrows, tandem "heavy duty" "cover crop", "wide disc spacing" tractor drawn.  
 80g Disc harrows, wide disc harrows over ten feet, tractor drawn.  
 80h Disc harrows, offset—tractor drawn.  
 80i Disc harrows, brush and bog, tractor drawn.  
 81 Disc harrows, tractor mounted and tool bar type.  
 81a Cane disc harrows, tractor mounted and tool bar type.

## SOIL PULVERIZERS AND PACKERS

- 83 Soil pulverizers and packers, single.  
 83a Soil pulverizers and packers, double.

## CULTIVATORS (HORSE AND TRACTOR DRAWN)

- Item No.  
 93b Two row, riding, horse drawn, shovel or disc type.  
 94a Two row, horse drawn, listed corn type.  
 94b Two row, tractor drawn, listed corn type.  
 94c Three row, tractor drawn, listed corn type.  
 94d Four row, tractor drawn, listed corn type.  
 94e Five row, tractor drawn, listed corn type.  
 95a Beet and bean cultivators, four row, horse or tractor drawn.  
 95b Two row wing and disc hoes and hillers, potato, horse or tractor drawn.  
 96 Field cultivators, spring tooth type, seven foot and under.  
 96a Field cultivators, spring tooth type, over seven foot.  
 96b Field cultivators, stiff tooth type, seven feet and under.  
 96c Field cultivators, stiff tooth type, over seven feet.  
 96d Chisels and orchard cultivators, tractor drawn.

## CULTIVATORS (TRACTOR MOUNTED)

- 95c Two row wing and disc hoes and hillers, potato.  
 98 One row.  
 99 Two row, shovel type.  
 99a Two row, listed corn type.  
 99b Two row, potato cultivator.  
 99c Two row, disc type.  
 100 Three and four row, shovel type.  
 101 Narrow row, four and six row (beet, bean, and vegetable cultivators).  
 101a Combination cultivators and planters, two row, corn and cotton.  
 101d Field cultivator, mounted and tool bar type.  
 101e Chisel and Orchard cultivators, mounted and tool bar type.

## ROTARY HOES

- 102 Rotary hoes, horse or tractor drawn.

## DUSTERS

- 121 Power duster, auxiliary engines.  
 121a Power duster, power take-off.  
 122 Traction dusters (except one and two row wheel barrow type).

## GRAIN BINDERS

- 129 Grain binders (ground drive).  
 130 Grain binders (power take-off).

## STATIONARY THRESHERS (GRAIN, RICE AND ALFALFA)

- 158 Threshers, width of cylinder under 28 inches.  
 159 Threshers, width of cylinder 28 inches and over.

## STATIONARY PEA AND BEAN THRESHERS

- 160 Stationary pea and bean threshers.

## DISTRIBUTION EQUIPMENT

- 232 Portable pipe and extensions, sprinklers (excluding lawn sprinklers), valves and gates.

[F. R. Doc. 43-15710; Filed, September 27, 1943; 11:27 a. m.]

## TITLE 10—ARMY: WAR DEPARTMENT

## Chapter VII—Personnel

## PART 75—ADMISSION TO THE UNITED STATES MILITARY ACADEMY

## MISCELLANEOUS AMENDMENTS

Sections 75.8, 75.10 through 75.16, and 75.18 are hereby amended as follows.

The regulations in these sections are contained in Information Relative to Appointment and Admission of Cadets to the United States Military Academy,



West Point, New York, W. D., 28 November 1942, as amended by C 1, 18 August 1943, the particular paragraphs being shown in brackets at end of sections.

§ 75.8 *Educational qualifications, how shown.* (a) The three methods of meeting the educational requirements for admission are

(1) By successfully passing the regular examination (see § 75.12 (a)), or

(2) By submitting a satisfactory educational certification (secondary school) and passing the validating examination (see § 75.13), or

(3) By submitting an educational certificate which does not require the validating examination (see § 75.14 (a)).

(b) In addition, there are two basic educational requirements which all candidates for admission to the United States Military Academy must meet:

(1) All candidates must take the West Point Aptitude Test. This is a 1-hour test requiring no special preparation and consisting of an elementary mathematics section and a language section.

(2) All candidates must qualify in United States history, either by presenting evidence that they have satisfactorily completed a standard course in United States history or its equivalent (one yearing secondary school or one semester in college), or by passing the special examination in United States history. The scope of this examination is as described in § 75.16 (k) (History D). [Par. 12]

§ 75.10 *Entrance examination, where held.* Boards of officers are convened at certain designated places, which are listed below, for the purpose of conducting the regular entrance examinations. The place of examination selected by the War Department for each candidate is the one nearest or most convenient to his home or to the school at which he is in regular attendance.

Army and Navy General Hospital, Hot Springs, National Park, Ark.

Army Medical Center, Washington, D. C.

Army Base, 808 Commonwealth Avenue, Boston, Mass.

William Beaumont General Hospital, El Paso, Tex.

Fort Benning, Ga.

Fort Bragg, N. C.

Canal Zone (such place as the Commanding General, Panama Canal Department, may designate).

Alaska (post to be designated).

Second Service Command, Governors Island, N. Y.

Fitzsimons General Hospital, Denver, Colo.

Fort Douglas, Salt Lake City, Utah.

Fort Benjamin Harrison, Ind.

Fort Hayes, Columbus, Ohio.

Fort Sam Houston, Tex.

Jefferson Barracks, Mo.

Fort Knox, Ky.

Fort Leavenworth, Kans.

LaGarde General Hospital, New Orleans, La.

Letterman General Hospital, Presidio of San Francisco, Calif.

Fort Lewis, Wash.

March Field, Calif.

Fort McPherson, Ga.

Fort Omaha, Nebr.

San Juan, P. R.

Fort Sheridan, Ill.

Fort Sill, Okla.

Fort Snelling, Minn.

Schofield Barracks, Honolulu, Hawaii.

[Par. 14]

§ 75.11 *Schedule of mental examinations.* Schedule of examinations is as follows:

(a) *First day*—(1) *Morning.* All candidates. Report and instructions, 9 a. m. to 11 a. m., 2 hours. West Point Aptitude Test, 11 a. m. to 12 noon, 1 hour.

(2) *Afternoon.* Only those candidates whose credit in United States history has not been accepted. Special examination in United States history, 2 p. m. to 5 p. m., 3 hours.

(b) *Second day*—(1) *Morning.* Regular examination in mathematics, 9 a. m. to 12 noon, 3 hours. Validating examination in mathematics, 9 a. m. to 10:30 a. m., 1½ hours.

(2) *Afternoon.* Regular examination in English, 2 p. m. to 5 p. m., 3 hours. Validating examination in English, 2 p. m. to 3:30 p. m., 1½ hours. [Par. 15]

§ 75.12 *Admission by regular mental examination.* (See § 75.8 (a) (1).) (a) All candidates who cannot qualify under §§ 75.13 or 75.14 (a) must take the regular mental examination in mathematics and English. As stated in § 75.8 (b) (2), all candidates must also qualify in United States history.)

(Inasmuch as candidates from the United States at large and the Army of the United States are appointed to vacancies in the order of merit competitively established as a result of the regular mental entrance examination in mathematics and English (the examination in United States history is not a part of the competition), such candidates cannot qualify under §§ 75.13 or 75.14 (a)).

(b) *Mathematics.* Candidates will be required to pass a satisfactory examination in those topics of algebra and plane geometry listed in § 75.16 (a) and (c) (Mathematics A and C).

(c) *English.* Candidates will be required to pass a satisfactory examination in English grammar, composition, and literature as described in § 75.16 (f) and (g), (English A and B). [Pars. 16, 17 and 18]

§ 75.13 *Admission by certificate and validating examination.* (See § 75.8 (a) (2).) The academic board will consider and may accept in lieu of the regular mental examination a certificate<sup>1</sup> with validating examination in mathematics and English in the following cases. (For alternate method of validating secondary school certificates, see § 75.14 (a) (4)). As stated in § 75.8 (b) (2), all candidates must also qualify in United States history.)

(a) A properly attested certificate (form ID)<sup>2</sup> that the candidate has graduated from a preparatory school or public high school accredited by the United States Military Academy, provided that in his school work he has shown proficiency in subjects amounting to not less than 15 units of the list given in § 75.15.

<sup>1</sup>For lists of subjects and weights on certificates see § 75.15.

<sup>2</sup>For supply of certificate forms see § 75.18 (a).

Of the 15 units, 2<sup>2</sup> must be in algebra, 1 in plane geometry, 1½ in English grammar and composition, 1½ in English literature, and 1 in United States history. The remaining 8 units must be chosen from the list of optional subjects, but cannot include commercial or other subjects not included in the list.

(b) A properly attested certificate (form II) that the candidate is in actual attendance in his senior year at a preparatory school or public high school accredited by the United States Military Academy, and had satisfactorily completed 3½ years' work at such school, provided that the certificate shows specifically by subjects and units the work already completed and also that to be completed by graduation, and provided that the course the candidate is pursuing will, when completed, show proficiency in subjects amounting to not less than the 15 units listed in paragraph (a) of this section.

A candidate submitting a certificate showing actual attendance at and prospective graduation from a preparatory or public high school must as a condition of admission continue his course of study and submit his diploma or other formal evidence of graduation at the time of entrance to the United States Military Academy. Failure to submit such evidence of graduation will disqualify the candidate for entrance.

The validating examination, required with all secondary school certificates (form II) except those accepted under § 75.14 (a) (4), includes the subjects of mathematics (A and C) and English (A and B). This validating examination is not identical with the regular mental entrance examination. It will be of such a nature as to determine the knowledge of a candidate, but not so difficult as to require for the desirable student an intensive special preparation.

A candidate whose certificate (form II) has been rejected must take the regular mental entrance examination. [Par. 19]

§ 75.14 *Admission by certificate.* (See § 75.8 (a) (3).) (a) The academic board will consider and may accept without other mental requirement, except that of § 75.8 (b) (West Point Aptitude Test and United States history requirement):

(1) A properly attested college certificate (form I) that the candidate is, or was upon leaving, a regularly enrolled student in good standing without condition in a university, college, or technical school accredited by the United States Military Academy: *Provided*, That he entered college with the secondary school credits prescribed in § 75.13 (a): *And provided further*, That he has completed successfully at least one semester in college. If he lacks not more than 2 units of the prescribed secondary school credits, required or optional, he may make up this deficiency in college at the rate

<sup>2</sup>In the case of candidates from schools so organized as to offer only 1½ years of algebra, the 1½ units of credit so earned will be accepted as meeting the requirements in that subject if the certificate shows completion of all subject matter listed in § 75.16 (a).

of one semester of college work to one year of secondary school study.

A full record of academic work at college, giving subjects taken and grades attained in each, should be presented on form I, which must be submitted in all cases where college work covers one semester or more.

If the college certificate covers less than 1 full year's work in college, it must be accompanied by a form II certificate covering work in secondary school, and the two certificates will be considered together in determining the candidate's mental qualifications.

(2) A properly attested certificate (form III) from the College Entrance Examination Board that the candidate has shown proficiency in the examinations set by the board in subjects amounting to the 15 units listed in § 75.13 (a).

(3) A properly attested certificate (form III) from the College Entrance Examination Board that the candidate has shown proficiency in the examinations set by the board in the 7 required units from the list given below, and a properly attested certificate (form II) from the preparatory or public high school accredited by the United States Military Academy showing proficiency in 8 units of the optional subjects given hereafter. A College Entrance Examination Board certificate that does not cover all of the 7 required units will not be considered.

(4) A secondary school certificate (form II) as described in § 75.13 (a) and (b) supplemented by a report from the College Entrance Examination Board that the candidate has taken its Scholastic Aptitude Test and Mathematics Attainment Test<sup>4</sup> (Beta Section), provided the grades earned on these tests are satisfactory. In case the candidate has graduated from secondary school prior to the date set for the validating examination (March or June), the Scholastic Aptitude Test and Mathematics Attainment Test<sup>4</sup> (Beta Section) must also have been taken and reported upon prior to that date. In case the candidate is in actual attendance in his senior year at a secondary school at the time set for the validating examination in March and has not yet taken these tests, he may decline to take the validating examination, electing instead to undergo the Scholastic Aptitude Test to be given by the College Entrance Examination Board in April of the same year. This privilege of electing to substitute the Scholastic Aptitude Test to be taken later is allowed for the March Validating Examination only.

<sup>4</sup>In cases where the Scholastic Aptitude Test taken includes a mathematical section, the Mathematics Attainment Test is not required. These tests, prepared by the College Entrance Examination Board, 431 West One Hundred Seventeenth Street, New York, N. Y., are the only such tests accepted for exemption from entrance examinations. General information concerning such examinations may be obtained from the College Entrance Examination Board. Address it for this purpose at P. O. Box 592, Princeton, N. J. Tests prepared by State or other testing agencies are not accepted.

(b) A candidate, whose certificate has been rejected under paragraph (a) of this section, will be required to take the regular entrance examination except in cases where the academic board approves his credits under § 75.13 for admission subject to the validating examination.

The academic board may reject any certificate (form I, II, or III) for low grades, or upon any evidence, whether contained in the certificate or not, that creates a reasonable doubt as to the candidate's mental qualifications for admission. A record in the entrance examination of a former year is considered excellent evidence of mental qualifications for admission and is given great weight when certificates are being evaluated. Taking the examination, when unprepared, merely for practice and failing on the same may, therefore, have an adverse effect if entrance by certificate is sought in a later year.

A candidate, whose certificate has been accepted under § 75.14, is excused from the mental examination but must appear for the physical examination and for the West Point Aptitude Test. He is rejected as mentally unqualified if he fails to pass this aptitude test.

A candidate, whose certificate is approved under paragraph (a) (4) of this section subject to later passing of the College Entrance Examination Board's Scholastic Aptitude Test,<sup>4</sup> is accepted as mentally qualified for admission (subject to fulfilling the requirements of § 75.8 (b)) if his record in this test proves satisfactory. He is rejected as mentally unqualified if it proves unsatisfactory. [Par. 20 and 21]

§ 75.15 *Subjects and credits.* The list of subjects and of the corresponding weights in units is as follows:

(a) *Required.* Every certificate must show evidence of proficiency in the following subjects:

	Units
Mathematics, A.....	2
Mathematics, C.....	1
History, D, United States History.....	1
English, A.....	1½
English, B.....	1½

(b) *Optional.* The remaining 8 units may be supplied from among the following subjects and no others:

	Units
Mathematics, B.....	½
Mathematics, D.....	½
Mathematics, E.....	½
English, fourth year.....	1
History, A, Ancient History.....	1
History, B, European History.....	1
History, C, English History.....	1
History, World History.....	1

<sup>4</sup>In cases where the Scholastic Aptitude Test taken includes a mathematical section, the Mathematics Attainment Test is not required. These tests, prepared by the College Entrance Examination Board, 431 West One Hundred Seventeenth Street, New York, N. Y., are the only such tests accepted for exemption from entrance examinations. General information concerning such examinations may be obtained from the College Entrance Examination Board. Address it for this purpose at P. O. Box 592, Princeton, N. J. Tests prepared by State or other testing agencies are not accepted.

	Units
Economics.....	1
Sociology.....	1
Social Democracy.....	1
Problems of American Democracy.....	1
Contemporary Problems.....	1
Citizenship.....	½
Government.....	½
Civics (when not included in History D).....	½
Latin, first year.....	1
Latin, second year.....	1
Latin, third year.....	1
Latin, fourth year.....	1
Greek, grammar and composition.....	1
Any foreign language, first year.....	1
Any foreign language, second year.....	1
Any foreign language, third year.....	1
Any foreign language, fourth year.....	1
Physics.....	1
Chemistry.....	1
General Science.....	1
Biology.....	1
Botany.....	1
Zoology.....	1
Geography.....	1
Drawing, mechanical or freehand.....	1
Bookkeeping.....	1
Physiology.....	1
Psychology.....	1
Astronomy.....	½
Geology.....	½

[Par. 22]

In § 75.16, paragraph (1) is added as follows:

§ 75.16 *Definition of certain subjects listed in § 75.15.* \* \* \*

(1) *History, World History, one unit.* A general survey. [Par. 34]

§ 75.18 *General information as to certificates.* (a) All necessary papers, including a set of blank certificate forms (except form III which is sent only upon application), are furnished by The Adjutant General, Washington 25, D. C., to each duly nominated candidate with his letter of appointment. All candidates, of every category, should submit their complete educational records on these forms, whether or not they wish to claim exemption from any examinations. Candidates whose schooling has been so irregular or incomplete that the forms do not properly describe it should submit statements of their scholastic work, certified by their teachers or tutors, in as much detail as possible.

(b) Certificates should be submitted to later than February 15. A certificate received between February 15 and the examination will receive consideration, but, in view of the short time left to the academic board to investigate its value, no assurance will be given that such certificate can be acted on in time to exempt the candidate from the regular mental examination. Certificates received at West Point to late for full investigation and appraisal before 9 a. m. on the first Tuesday in March of each year will be filed without action thereon. Candidates will be notified of the time and date of the receipt of such certificates.

(c) Candidates who submit certificates on a date which does not allow the academic board sufficient time to investigate their value and notify them regarding the final action thereon prior to the day set for the examination should proceed with the regular examination.

(d) Candidates who are informed that their certificates have been accepted,

must present themselves at the regular time and place, as herein prescribed, for physical examination and the tests prescribed in § 75.8 (b), and, if required, for the validating examination.

(e) A candidate submitting a secondary school certificate who has taken the College Entrance Examination Board's Scholastic Aptitude Test should have his record in this test forwarded to the Adjutant, West Point, N. Y., at the same time as his school certificate. He should state on the letter that this is being done.

(f) A candidate in his last year in secondary school who elects not to take the validating examination in March but to depend for validation of his certificate upon the Scholastic Aptitude Test of April of the same year should include a statement to that effect when submitting his educational certificate. The latter should be submitted, as in the general case, when the blank form is received from The Adjutant General. In any case he must report in March for the physical examination and the tests prescribed in § 75.8 (b).

(g) A candidate whose certificate qualifications have been approved, provided he completes his regular high-school or preparatory-school course with good grades and graduates, must bring with him, and present on the day he reports for admission, his diploma or certificate of graduation, together with a certified statement of the grades attained in his academic work, in order that the academic board of the Military Academy may determine whether or not these provisions have been fulfilled. If approval of his certificate was also subject to passing the College Entrance Examination Board's Scholastic Aptitude Test at a later date, he should have a report of his record on this test sent to the Adjutant, West Point, N. Y., as soon as the marks are available.

(h) A candidate who has once satisfactorily fulfilled all the mental requirements for entrance will be regarded as qualified at any subsequent opportunity which may arise for entrance with the same class.

(i) A certificate which is accepted as satisfactory for one examination will be regarded as satisfactory for any other examination which may be set for entrance with the same class, unless it has been voided in the meantime by failure in the first examination, in which event it will be reconsidered in connection with the results of that examination, should the candidate be reappointed with a view to admission the same year.

(j) Any certificate accepted for entrance with one class is not valid for entrance with a succeeding class unless reapproved. It must be resubmitted, accompanied by a full statement of the candidate's educational work in the interim, and both certificate and statement will be subject to careful scrutiny by the academic board.

(k) A candidate, not an ex-cadet, who has once been declared mentally qualified for entrance upon written examination, either regular or validating, need not undergo a second mental examination in case of any subsequent appointment

unless the requirements for entrance have been changed in the meanwhile. A candidate reported not qualified mentally in one or more subjects on one examination will be required to qualify in all subjects at any subsequent examination.

(l) Information on the Scholastic Aptitude Test mentioned herein may be obtained from the College Entrance Examination Board. Address it for this purpose at P. O. Box 592, Princeton, N. J. [Par. 36]

(R.S. 161; 5 U.S.C. 22)

[SEAL]

H. B. LEWIS,  
Brigadier General,  
Acting The Adjutant General.

[F. R. Dec. 43-15703; Filed, September 27, 1943; 11:20 a. m.]

## TITLE 31—MONEY AND FINANCE: TREASURY

### Chapter I—Monetary Offices, Department of the Treasury

[Public Circ. 23, as Amended]

#### APPENDIX B—PUBLIC CIRCULARS UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

##### FOREIGN FUNDS CONTROL

SEPTEMBER 28, 1943.

Public Circular No. 23, as amended, under Executive Order No. 8389, as amended, Executive Order No. 9193, sections 3 (a) and 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

Public Circular No. 23 is hereby amended to read as follows:

(a) The provisions of § 130.3 of the Regulations of April 10, 1940, as amended on June 14, 1941, issued under Executive Order No. 8389, as amended, relating to applications for licenses, are hereby waived in the following respects:

(1) Applications for licenses may be filed in duplicate instead of in triplicate.

(2) Applications executed by persons within the United States need not be executed under oath.

(b) The provisions of § 137.5 (a) of Special Regulation No. 1 and the corresponding instructions in Public Circular No. 22, issued under Executive Order No. 8389, as amended, and Executive Order No. 9193, relating to reports on Form TFR-500, are hereby waived in the following respect:

Reports executed by persons within the United States need not be executed under oath.

(c) In addition to the provisions of section 5 (b) of the Trading with the Enemy Act, cited in § 130.5 of Regulations of April 10, 1940, as amended on June 14, 1941, and in § 137.7 of Special Regulation No. 1, attention is directed to section 35 (A) of the United States Criminal Code, which provides, in part:

\* \* \* whoever shall knowingly and willfully falsify or conceal or cover up by any trick, scheme, or device a material fact,

or make or cause to be made any false or fraudulent statements or representations, or make or use or cause to be made or used any false bill, receipt, voucher, roll account, claim, certificate, affidavit, or deposition, knowing the same to contain any fraudulent or fictitious statement or entry in any matter within the jurisdiction of any department or agency of the United States \* \* \*, shall be fined not more than \$10,000 or imprisoned not more than ten years, or both. Act of April 4, 1933, ch. 69, 52 Stat. 197 (U.S.C., tit. 18, sec. 89).

(Sec. 3 (a), 40 Stat. 412; sec. 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; 54 Stat. 179; 55 Stat. 838; E.O. 8389; Apr. 10, 1940, as amended by E.O. 8745, June 14, 1941, E.O. 8832, July 26, 1941, E.O. 8963, Dec. 9, 1941, and E.O. 8933, Dec. 26, 1941; E.O. 9193, July 6, 1942; Regs., Apr. 17, 1940, as amended June 14, 1941, and July 26, 1941; Special Reg. 1, June 1, 1943)

[SEAL]

RANDOLPH PAUL,  
Acting Secretary of the Treasury.

[F. R. Dec. 43-15763; Filed, September 23, 1943; 11:27 a. m.]

#### PART 131—GENERAL LICENSES UNDER EX- ECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

##### FOREIGN FUNDS CONTROL

SEPTEMBER 28, 1943.

General License No. 13, as amended, under Executive Order No. 8389, as amended, Executive Order No. 9193, section 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

General License No. 13 is hereby amended to read as follows:

§ 131.13 *General License No. 13.* A general license is hereby granted licensing as generally licensed nationals:

(a) The Bombay and Calcutta offices of the Nederlandsch Indische Handelsbank;

(b) The Djeddah, Calcutta, Bombay and Paramaribo offices of the Nederlandsche Handel Maatschappij;

(c) The Willemstad (Curacao) offices of:

- (1) The Curacaoche Bank,
- (2) The Maduro & Curjel's Bank,
- (3) The Edwards Henriquez & Co.;

(d) The Oranjestad (Aruba) office of the Aruba Bank;

(e) The Buenos Aires, Caracas and Maracaibo offices of Banco Holandes Unido;

(f) The Rio de Janeiro, Santos and Sao Paulo offices of Banco Hollandes Unido;

(g) The Willemstad and Oranjestad offices of Hollandsche Bank-Unie;

(h) The Haifa and Istanbul offices of Holland Bank Union;

(i) The Netherlands Trading Society East, Ltd., London;

(j) The London office of the Banque Belge pour l'Etranger (Overseas), Limited;

(k) The offices within the generally licensed trade area, as defined in Gen-

eral License No. 53, of the Hong Kong & Shanghai Banking Corporation.

(Sec. 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; 54 Stat. 179; 55 Stat. 838; E.O. 8389, April 10, 1940, as amended by E.O. 8785, June 14, 1941, E.O. 8832, July 26, 1941; E.O. 8963, Dec. 9, 1941, and E.O. 8998, Dec. 26, 1941; E.O. 9193, July 6, 1942; Regs. April 10, 1940, as amended June 14, 1941, and July 26, 1941)

[SEAL] RANDOLPH PAUL,  
Acting Secretary of the Treasury.

[F. R. Doc. 43-15787; Filed, September 28, 1943; 11:26 a. m.]

**PART 131—GENERAL LICENSES UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO**

**FOREIGN FUNDS CONTROL**

SEPTEMBER 28, 1943.

Revocation of General Licenses Nos. 14, 18, 19, 21, 22, 40, 43, 62, 66, 69 and 81 under Executive Order No. 8389, as amended, Executive Order No. 9193, section 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control. Sections 131.14, 131.18, 131.19, 131.21, 131.22, 131.40, 131.43, 131.62, 131.66, 131.69, and 131.81, General Licenses Nos. 14, 18, 19, 21, 22, 40, 43, 62, 66, 69, and 81 are hereby revoked.

(Sec. 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; 54 Stat. 179; 55 Stat. 838; E.O. 8389, April 10, 1940, as amended by E.O. 8785, June 14, 1941, E.O. 8832, July 26, 1941, E.O. 8963, Dec. 9, 1941, and E.O. 8998, Dec. 26, 1941; E.O. 9193, July 6, 1942; Regulations, April 10, 1940, as amended June 14, 1941, and July 26, 1941)

[SEAL] RANDOLPH PAUL,  
Acting Secretary of the Treasury.

[F. R. Doc. 43-15788; Filed, September 28, 1943; 11:26 a. m.]

[Gen. License 13A]

**PART 131—GENERAL LICENSES UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO**

**FOREIGN FUNDS CONTROL**

SEPTEMBER 28, 1943.

General License No. 13A under Executive Order No. 8389, as amended, Executive Order No. 9193, section 5 (b) of the Trading With the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

§ 131.13a General License No. 13A. A general license is hereby granted licensing as generally licensed nationals:

(a) The New York offices of:

- (1) The French American Banking Corporation,
- (2) The Banque Belge pour l'Etranger (Overseas), Limited,
- (3) The Hellenic Bank Trust Company,
- (4) The Bank of Athens Trust Company,

- (5) The Bank of Athens Safe Deposit Company of New York,
- (6) The Bank of China,
- (7) The Philippine National Bank,
- (8) The Nederlandsche Handel-Maatschappij;

(b) The New York agencies of:

- (1) Credit Suisse,
- (2) Swiss Bank Corporation;

(c) Netherlands Trading Society East, Inc., Delaware;

(d) Swiss American Corporation, New York;

(e) China Defense Supplies, Inc., 1601 V Street, N.W., Washington, D. C.;

(f) Universal Trading Corporation, 630 Fifth Avenue, New York, New York;

(g) The offices in the territory of Hawaii of:

- (1) The American Security Bank,
- (2) The Honolulu Trust Company,
- (3) The Liberty Bank of Honolulu;

(h) The San Francisco office of the Bank of Canton;

(i) The offices within the United States of the Hong Kong and Shanghai Banking Corporation.

(Sec. 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; 54 Stat. 179; 55 Stat. 838; E.O. 8389, April 10, 1940, as amended by E.O. 8785, June 14, 1941, E.O. 8832, July 26, 1941, E.O. 8963, Dec. 9, 1941, and E.O. 8998, Dec. 26, 1941; E.O. 9193, July 6, 1942; Regulations, April 10, 1940, as amended June 14, 1941, and July 26, 1941)

[SEAL] RANDOLPH PAUL,  
Acting Secretary of the Treasury.

[F. R. Doc. 43-15789; Filed, September 28, 1943; 11:26 a. m.]

**TITLE 32—NATIONAL DEFENSE**

**Chapter VIII—Office of Economic Warfare**

**Subchapter B—Export Control**

[Amdt. 107]

**PART 802—GENERAL LICENSES**

**GENERAL IN-TRANSIT LICENSES**

Paragraph (d) of § 802.9 General Licenses "GIT" is hereby amended by deleting between the words "No exportations," and the words "may be made" the words "except from the Canadian government to the British forces" and substituting in lieu thereof the words "except from Canada to the armed forces of any of the United Nations".

(Sec. 6, 54 Stat. 714; 55 Stat. 206; 55 Stat. 463; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 8 F.R. 8529; E.O. 9361, 8 F.R. 9861 and Order No. 1, 8 F.R. 9938)

Dated: September 25, 1943.

HECTOR LAZO,  
Assistant Director in Charge,  
Office of Exports.

[F. R. Doc. 43-15764; Filed, September 28, 1943; 9:50 a. m.]

**Chapter IX—War Production Board**

**Subchapter B—Executive Vice-Chairman**

**AUTHORITY:** Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 170; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

**PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM**

[Amdt. 2 to Priorities Reg. 3, as Amended August 10, 1943]

**UNIFORM METHOD OF APPLICATION AND EXTENSION OF PREFERENCE RATINGS**

Item 21 on List B of Priorities Regulation No. 3 (§ 944.23) is hereby amended to read as follows:

21. Laboratory instruments and equipment (except ratings assigned by Preference Rating Orders P-43, P-68, P-89, and P-98-b and ratings assigned pursuant to Orders P-56, P-58, and P-73).

Issued this 27th day of September 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-15713; Filed, September 27, 1943; 11:46 a. m.]

**PART 1010—SUSPENSION ORDERS**

[Amdt. 1 to Suspension Order S-378]

**SOUTHWEST MANUFACTURING COMPANY**

Southwest Manufacturing Company has appealed from the provisions of Suspension Order S-378. The Chief Compliance Commissioner has reviewed the case and received new evidence indicating hardship which this suspension order would work upon the company's business. He has decided that there were wilful violations of the orders and regulations of the War Production Board, and that this suspension order should not be revoked. He has also decided that in order to prevent irreparable damage to the business of Southwest Manufacturing Company, Suspension Order S-378 should be amended.

Section 1010.378, Suspension Order No. S-378, issued July 24, 1943, is hereby amended by deleting paragraphs (b) and (c).

This amendment shall take effect upon issuance.

Issued this 27th day of September 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-15720; Filed, September 27, 1943; 5:10 p. m.]

**PART 1010—SUSPENSION ORDERS**

[Suspension Order S-385, Amdt. 1]

**W. H. DEISROTH INCORPORATED**

W. H. Delsroth Incorporated has appealed from the provisions of Suspen-

sion Order S-385, issued August 2, 1943, and in connection with the appeal, applied for a stay of execution which was granted on August 17, 1943. The original stay was to terminate on September 10, 1943, but was continued generally by request of W. H. Deisroth Incorporated in order to allow it to perfect its appeal. The Chief Compliance Commissioner has reviewed this case and has heard evidence bearing upon the hardship which this Suspension Order would cause respondent's business, and has decided that the Suspension Order should stand as issued, but that its dates should be changed, and that the stay should be continued through December 31, 1943, and thereafter be of no further force or effect. The Chief Compliance Commissioner, after considering all of the circumstances, has decided that in order to prevent permanent harm to the business of W. H. Deisroth Incorporated by the terms of Suspension Order S-385, that the Suspension Order should be amended so that it will be in effect for forty-five days commencing January 1, 1944, and that it should continue through February 14, 1944.

Section 1010.385 *Suspension Order No. S-385*, issued August 2, 1943, and the stay thereof issued August 17, 1943, are hereby amended as follows:

1. Stay of execution (of Suspension Order S-385) issued August 17, 1943, shall continue through December 31, 1943, and thereafter be of no further force or effect.

2. Paragraph (d) of Suspension Order S-385, issued August 2, 1943, is hereby amended to read as follows:

(d) This order shall take effect on January 1, 1944, and shall expire on February 14, 1944.

Issued this 28th day of September 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-15774; Filed, September 28, 1943; 11:17 a. m.]

**PART 1071—INDUSTRIAL AND COMMERCIAL REFRIGERATION AND AIR CONDITIONING MACHINERY AND EQUIPMENT**

[Schedule III, as Amended September 28, 1943, to Limitation Order L-126]

**REQUIRED SPECIFICATIONS FOR COIL OR TUBE ASSEMBLIES FOR REFRIGERATION CONDENSERS OR COOLERS**

§ 1071.5 *Schedule III to Limitation Order L-126*—(a) *Definitions*. For the purpose of the schedule:

(1) "Producer" means any person who produces, manufactures, processes, fabricates, or assembles any coil or tube assemblies for refrigeration condensers or coolers.

(2) A "coil or tube assembly for condensers" means an assembly used in a refrigerating or air conditioning "system" as defined in paragraph (a) (1) of Limitation Order No. L-126 consisting of any arrangement of pipes, tubing, pressure vessels, or plates by means of which heat is removed from the vaporized refrigerant.

(3) A "coil or tube assembly for coolers" means an assembly used in a refrigerating or air conditioning "system" as defined in paragraph (a) (1) of Limitation Order No. L-126 consisting of any arrangement of pipes, tubing, pressure vessels, or plates by means of which heat is absorbed by either a volatile refrigerant or a non-volatile medium such as water.

(4) "Protective coating" means a surface coating applied to any or all parts of a "coil or tube assembly for condensers or coolers" for the purpose of retarding or preventing corrosion.

(5) "Integral fin tubing" means finned tubing, the fins and tubes of which are formed from the same piece of metal by extrusion or by any machine operation.

(6) "Metallic fin bond" means a tie between tubing and fins obtained through the use of a metallic base substance usually applied with heat. The fin surface of integral fin tubing shall be considered as having a metallic fin bond.

(7) "Mechanical fin bond" means a tie obtained between tubing and fins by physical contact and without the use of a metallic base substance.

(8) "Fin height" means the distance from the outside of a pipe or tube to the nearest outside edge of the fin.

(9) "Return bend" means a semi-circular section of tubing or pipe used to join parallel runs of tubing or pipe.

(10) "Lend-lease country" means the government of any foreign country receiving aid pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(b) *Required specifications*. Pursuant to Limitation Order No. L-126, the following required specifications are hereby established for coil or tube assemblies for condensers or coolers:

(1) In the manufacture of any coil or tube assembly for condensers or of any coil or tube assembly for coolers, no producer shall, except for use aboard ship,

(i) Use any non-ferrous metals, except

(a) For soldering or brazing materials, or

(b) For protective coatings, or

(c) For any coil or tube assembly for water cooled condensers as defined in paragraph (a) (3) of this schedule, or

(d) For coolers which come in direct contact with dairy or egg products (whether or not the coolers have a protective coating).

(ii) Use any seamless steel tubing, except

(a) To form integral fin tubing, or

(b) That which has been made into return bends but only if the radius thereof is less than  $1\frac{1}{2}$  times the outside diameter of such tubing and the straight extensions thereof are not longer than 2 times the outside diameter of such tubing; or

(iii) Use any steel tubing (other than integral fin tubing) of wall thickness greater than the following:

Wall  
thickness  
maximum  
inch

(a) Up to & including $\frac{3}{8}$ "	0.023
(b) Over $\frac{3}{8}$ " up to & including $\frac{1}{2}$ "	.035
(c) Over $\frac{1}{2}$ " up to & including $\frac{3}{4}$ "	.049
(d) Over $\frac{3}{4}$ " up to & including 1"	.063
(e) Over 1" up to & including $1\frac{1}{4}$ "	.083
(f) Over $1\frac{1}{4}$ " up to & including 2"	.095
(g) Over 2" up to & including $2\frac{1}{2}$ "	.120

*Provided*, That where external refrigerant working pressures exceed 400 lbs. per sq. in. gauge, a producer may use a wall thickness in excess of the foregoing but not to exceed the thickness being used by him on September 2, 1942.

(2) In the manufacture of any coil or tube assembly for air-cooled condensers no producer shall

(i) Except for use aboard ship, use finned tubing (other than integral fin tubing) having an average fin thickness to the nearest U. S. standard gauge in excess of 4% of the fin height, or a maximum of 0.023", whichever is smaller;

(ii) Except for use aboard ship, use a metallic protective coating (other than paint) where a mechanical fin bond is employed;

(iii) Use a protective coating containing more than 7% tin where a metallic fin bond is employed;

(3) In the manufacture of any coil or tube assembly for water-cooled condensers, no producer shall, except for use aboard ship

(i) Use more than 7 lbs. of non-ferrous metals per condensing unit nominal horse power for all self-contained refrigeration condensing units: *Provided, however*, That where, for the purpose of simplification, one condenser is designed to be used with either of two or more self-contained condensing units, not more than 9.0 lbs. of non-ferrous metals per condensing unit nominal horse power of the smaller unit may be used.

(ii) Use more non-ferrous metals per ton of refrigeration, for other than self-contained condensing unit condenser assemblies, than the following:

7 lbs. per ton of refrigeration for systems having saturated refrigerant vapor suction temperatures above 30° F.

8 lbs. per ton of refrigeration for systems having saturated refrigerant vapor suction temperatures from 0° to 30° F., inclusive.

9 lbs. per ton of refrigeration for systems having saturated refrigerant vapor suction temperatures below 0° F.

"Ton of refrigeration", as here used, means the removal of heat, at the low side, at the rate of 12,000 B. T. U. per hour; total tons to be based on the design operating load of the low side connected to the condensing unit or units with which the condenser is used.

(4) In the manufacture of any coil or tube assembly for evaporatively cooled condensers, no producer shall:

(i) Use finned tubing (other than integral fin tubing) having an average fin thickness to the nearest U. S. standard gauge in excess of 4% of the fin height, or a maximum of 0.023", whichever is smaller; or

(ii) Use a combination protective coating and metallic fin bond containing more than 7% tin.



(5) In the manufacture of any cooler coil or tube assembly for air-cooling, no producer shall:

(i) Use a metallic protective coating containing more than 7% tin, except that when the coil is used in food storage and the air passing over the coil is in direct contact with the food a hot-dipped galvanized coating or a coating containing not more than 35% tin may be used, and except also that for use aboard ship in connection with food storage the use of protective metallic coatings is not restricted by this paragraph; or

(ii) Use finned tubing (other than integral fin tubing) having an average fin thickness to the nearest U. S. standard gauge in excess of 4% of the fin height, or a maximum of 0.023", whichever is smaller.

(c) *Applicability of order.* (1) The required specifications established by paragraph (b) (1) to (5) inclusive, shall not prohibit:

(i) The production, fabrication, delivery, acceptance, or installation of coil or tube assemblies, the plans of which had on September 2, 1942, been drawn and accepted by or for the account of the Army or Navy of the United States, the Maritime Commission, the War Shipping Administration, or Lend-Lease countries, or

(ii) The use (in the production or fabrication of, or the delivery, acceptance, or installation of coil or tube assemblies for condensers or coolers) of any of the following materials in a producer's possession or control or in transit to a producer on September 2, 1942:

(a) Steel tubing.

(b) Coil or tube assemblies which on said date were in finished form or the parts for which had on said date been cast, machined or otherwise processed in such manner that the manufacture of such assemblies in conformance with this Schedule III would be impractical.

(iii) The use until January 1, 1944 only, (in the production of fabrication of, or the delivery, acceptance or installation of coil or tube assemblies for condensers or coolers of the finned type only) of seamless steel tubing where (a) the tubing is expanded to obtain the bond between tubing and fins, or (b) the tubing is  $\frac{5}{8}$ " O. D. size or larger.

Issued this 28th day of September 1943.

WAR PRODUCTION BOARD  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-15775; Filed, September 28, 1943; 11:16 a. m.]

#### PART 1109—MICA

[Conservation Order M-101, As Amended September 28, 1943]

Section 1109.1 (Conservation Order M-101) is hereby amended to read as follows:

§ 1109.1 *Conservation Order M-101—(a) Definitions.* (1) "Strategic mica" means:

(1) Muscovite block and film mica of heavy stained quality or better, but excluding (a) block mica smaller than grade #6 (or grade 1" x 1"); (b) scrap mica; (c) muscovite splittings used in making built-up mica.

(ii) Phlogopite (amber) block mica, including amber bookform splittings in grades (sizes) larger than #5, but excluding (a) block mica smaller than grade #6 (or grade 1" x 1"); (b) scrap mica; (c) other forms of amber splittings used in making built-up mica.

(iii) The remaining portion or remnant of muscovite block or film mica or phlogopite block mica resulting from fabrication if such remnant contains a usable area equivalent to grade #6 or larger.

(2) "Scrap mica" means:

(i) That part of strategic mica remaining after a piece has been fabricated, if such remainder or remnant contains no piece or pieces equivalent to grade #6 or larger;

(ii) Mine waste, provided no grade #6 or larger pieces can be trimmed therefrom.

(3) "To fabricate" means to cut, stamp, punch or split to predetermined shape or dimensions or to change in any manner the form, shape or size of strategic mica, unless such fabricating is for the purpose of making emergency repairs or emergency replacements to prevent a threatened breakdown.

(4) "Product containing strategic mica" means a product into which fabricated strategic mica is assembled or inserted, such as a spark plug, condenser, or radio tube.

(5) "End-product" means a finished article, such as an airplane motor or radio set, of which the product containing strategic mica is a component part.

(b) *Restrictions on fabrication and causing fabrication of strategic mica.* (1) No person shall fabricate or cause another to fabricate any strategic mica except to the extent specifically authorized by the War Production Board.

(2) No manufacturer of a product or end product containing strategic mica shall fabricate or cause another to fabricate strategic mica:

(i) Of a quality better than is necessary for the particular purpose to which the strategic mica will be put, unless otherwise authorized by the War Production Board;

(ii) For use where a substitution of non-strategic mica or other material is practicable, unless otherwise authorized by the War Production Board.

(3) No fabricator shall fabricate strategic mica of a grade (size) larger than is required to yield the particular pattern desired, unless otherwise authorized by the War Production Board. However, remnant mica, regardless of size or quality, may be fabricated for any purpose for which the particular fabricator has been currently authorized by War Production Board to fabricate strategic mica.

(c) *Small order exemption from restrictions on fabrication.* Any person may, without authorization from the War Production Board, fabricate and deliver

strategic mica on any order for which such person will receive \$10.00 or less: *Provided, however,* That no person shall fill more than three such orders in any one month for delivery to the same customer.

(d) *Application for authorization to fabricate.* Application to the War Production Board for specific authorization to fabricate or cause another to fabricate strategic mica shall be made by the manufacturer of the product containing strategic mica and by the person, if any, fabricating strategic mica for such manufacturer, on Form WPB-1085, or otherwise; and the authorization, if secured, shall apply to such manufacturer and to the person, if any, fabricating strategic mica for such manufacturer pursuant to the terms of the authorization.

(e) *Required demonstration of economic use of mica.* The War Production Board may at any time require satisfactory evidence from the manufacturer of any end product into which the product containing strategic mica is to be assembled or inserted, or from the manufacturer of the product containing strategic mica, that a lesser quantity or a lower quality of strategic mica could not be or could not have been used than the quantity or quality applied for, or that non-strategic mica or other materials could not be or could not have been used as a substitute for strategic mica.

(f) *Restrictions on delivery of unfabricated strategic mica.* No person (other than Metals Reserve Company or its agents) shall deliver any unfabricated strategic mica to any person (other than Colonial Mica Corporation, as agent of Metals Reserve Company), unless specifically authorized to do so by the War Production Board.

(g) *Applications for authorization to accept delivery.* Application to the War Production Board for specific authorization to accept delivery of unfabricated strategic mica shall be made by letter, which need only state the source, quantity, grade (size) and quality of the unfabricated strategic mica which the applicant seeks permission to acquire. If the application is granted, the original authorization will be sent by the War Production Board to the person from whom delivery is requested and a copy of the authorization will be sent to the applicant. Authorization to deliver and accept delivery of unfabricated strategic mica must be obtained not only when delivery is to be made by one person to another person, including an affiliate or subsidiary, but also when delivery is to be made from one branch, division, or section of a single person to another branch, division or section of the same or any other person under common ownership or control, such as from a rifling shop or department to a fabricating shop or department owned by the same person.

(h) *Reports.* The following reports shall be filed:

(1) *Form WPB-1276 (formerly PD-325).* Any person fabricating 10 pounds or more of any block or film mica (strategic or non-strategic) in any one month, or who on the last day of any

month possesses 100 pounds or more of such mica or of the value of \$100 or more, shall file Form WPB-1276 on or before the 15th day of the month following, stating his inventory, receipts and consumption of all such mica.

(2) *Form WPB-3168.* Any person fabricating 10 pounds or more of any block or film mica (strategic or non-strategic) in any one month for use in more than one product shall on or before the 15th of the following month file Form WPB-3168, stating the quantity of each grade and quality fabricated for each product.

(i) *Miscellaneous provisions—(1) Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) *Applicability of order.* The prohibitions and restrictions contained in this order shall apply to fabricating or causing another to fabricate strategic mica irrespective of whether such articles are manufactured pursuant to a contract made prior or subsequent to the date of this order. In so far as any other War Production Board order may have the effect of limiting or curtailing the fabrication of strategic mica to a greater extent than herein provided, the limitations of such order shall be observed.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all other communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Mica-Graphite Division, Washington 25, D. C., Reference: M-101.

(4) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

*Note:* The reporting provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 28th day of September 1943.

WAR PRODUCTION BOARD,

By J. JOSEPH WHELAN,

Recording Secretary.

[F. R. Doc. 43-15776; Filed, September 28, 1943; 11:16 a. m.]

#### PART 3133—PRINTING AND PUBLISHING

[Limitation Order L-240 as Amended Sept. 28, 1943]

Section 3133.6 *Limitation Order L-240* is hereby amended to read as follows:

§ 3133.6 *Limitation Order L-240—(a) Definitions.* For the purpose of this order:

(1) "Newspaper" shall include any publication usually recognized as a newspaper in the newspaper industry regardless of the frequency of issuance.

(2) "Printing" means the act or process of impressing or otherwise transferring onto print paper any ink, color, pigment, mark, character or delineation.

(3) "Publisher" shall include, but not by way of limitation, any person issuing a newspaper.

(4) "Print paper" means any grade or quality of paper used in the printing of a newspaper, or used in the printing of material physically incorporated into a newspaper.

(5) "Net paid circulation" means the sales of a publisher's newspapers audited, or otherwise verified, in accordance with the standards of the Audit Bureau of Circulations of January 1, 1942.

(b) *General restrictions.* (1) No publisher, and no person for the account of any publisher, shall purchase, acquire or in any manner accept delivery of print paper except for the printing of the publisher's newspapers.

(b) (2) In each calendar quarter commencing October 1, 1943, no publisher shall use or cause to be used for his account print paper for the publication of his newspapers in excess of his quarterly quota, which shall be determined as follows:

(i) Ascertain the weight of print paper which was used in printing the net paid circulation of the publisher's newspapers during the corresponding calendar quarter of 1941.

(ii) Add 3% to compensate for production waste.

(iii) If this figure is 500 tons or more, deduct 10%; if it is less than 500 tons, deduct 10% of the amount in excess of 25 tons.

(c) *Exceptions.* The provisions of paragraph (b) (1) and (2) hereof shall not apply to:

(1) Any newspaper which shall use 25 tons or less of print paper in any calendar quarter. The publisher of any such newspaper is authorized, in addition, to deduct from the tonnage of print paper used by him in any calendar quarter the amount of print paper used in copies of the said newspaper which he shall furnish to the armed services of the United States.

(2) Any newspaper of eight pages or less which is authorized to be admitted to the mails as second class matter under the provisions of section 521 of the Postal Laws and Regulations of 1940 (Title 39 U.S.C. sec. 229), pertaining to the publications of benevolent, fraternal, tradesunion, professional, literary, historical, and scientific organizations or societies.

(d) *Restrictions on deliveries.* (1) On and after August 1, 1943 no publisher, unless specifically authorized by the War Production Board, may accept delivery of print paper in any calendar month in excess of 33⅓% of his quota for the consumption of print paper (plus 33⅓% of any additional tonnage allowed on

appeal) for the current calendar quarter: *Provided, however,* That deliveries limited by the foregoing to a fraction of one carload may be increased to one full carload in any month.

(2) Notwithstanding the provisions of paragraph (d) (1), on and after August 1, 1943 no publisher, unless specifically authorized by the War Production Board, may accept delivery of print paper if his inventory of such paper on hand, available for use, or in transit is, or by virtue of such acceptance will become, either:

(i) In excess of two carloads or

(ii) If in excess of two carloads, more than forty days' supply in the states named in List A below or sixty-five days' supply in the states named in List B below, computed on the basis of his average daily rate of consumption during the first six months of 1943.

#### LIST A

Connecticut  
District of Columbia  
Delaware  
Illinois  
Indiana  
Iowa  
Kansas  
Kentucky  
Maine  
Maryland  
Massachusetts  
Michigan  
Minnesota  
Missouri  
Nebraska  
New Hampshire  
New Jersey  
New York  
North Dakota  
Ohio  
Pennsylvania  
Rhode Island  
South Dakota  
Vermont  
Virginia  
West Virginia  
Wisconsin

#### LIST B

Alabama  
Arizona  
Arkansas  
California  
Colorado  
Florida  
Georgia  
Idaho  
Louisiana  
Montana  
Mississippi  
New Mexico  
Nevada  
North Carolina  
Oklahoma  
Oregon  
South Carolina  
Tennessee  
Texas  
Utah  
Washington  
Wyoming

(3) The foregoing restrictions apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division, or section of a single enterprise to another branch, division, or section of the same or any other enterprise under common ownership or control.

(e) *Loans of print paper.* Any loan of print paper made by a publisher shall be reported by addressing a letter in triplicate to the War Production Board on or before the 30th day following the date of the loan. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(f) *Miscellaneous provisions—(1) Applicability of regulations.* This order and all transactions affected by it are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in duplicate, referring to the particular provision appealed from, and stating fully the grounds of the appeal.

(3) *Communications to the War Production Board.* All reports required to be filed hereunder and all communica-

tions concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Printing and Publishing Division, Washington 25, D. C. Ref.: L-240.

(4) **Violations.** Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 28th day of September 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### Interpretation 1

##### PRINT PAPER

"Print paper", as used in this order, includes paper reclaimed wholly or partly from white or printed waste, as well as new paper made from virgin fibers. (Issued July 24, 1943)

#### Interpretation 2

##### NEWSPAPERS

Paragraph (d) (1) of Order L-240 (§ 3133.6) restricts the tonnage of print paper which a publisher may accept in any month. If this amount works out to a whole number of carloads plus a fraction of another carload, a publisher may carry the fraction over into the next month. Thus, if a publisher's quarterly quota of print paper would fill 25½ freight cars, he would be permitted to accept 8½ carloads per month. However, if he accepts only 8 carloads in the first month he may accept 9 in the next month. Issued Aug. 17, 1943)

#### Interpretation 3

Paragraph (d) (2) of Order L-240 (§ 3133.6) limits the inventory of print paper which a publisher may carry. As used in this paragraph, "Inventory" includes paper on hand, available for use, and in transit. If print paper in inventory is destroyed or damaged to such an extent that it becomes unusable, whether this occurs while the paper is in transit or after it has reached its destination, the publisher may accept delivery of additional paper to replace that which he was unable to use. This will not constitute a violation of paragraph (d) (2). (Issued Aug. 25, 1943)

[F. R. Doc. 43-15777; Filed, September 28, 1943; 11:15 a. m.]

#### PART 3208—SCHEDULED PRODUCTS

[Table 8 as Amended Sept. 28, 1943 to General Scheduling Order M-293]

#### POWER DIVISION, OFFICE OF WAR UTILITIES

§ 3208.9 *Table for Power Division.*  
(a) The following amended table is issued pursuant to the provisions of General Scheduling Order M-293.

Table of scheduled products	Designation	Applicable forms column 1			Table of scheduled products	Designation	Applicable forms column		
		1	2	3			1	2	3
1. Steam, hydraulic, or gas-propelled turbines unless designed for ship propulsion or aircraft use.	XZ		3120		8. Pulverizers and related combustion equipment installed for the primary purpose of pulverizing solid fuel for firing any type of furnace, excluding those for marine and locomotive use.	XZ		1700	
2. Turbine-generator sets (any combination of one or more turbines and electric generators built to operate as a set) unless designed for ship propulsion, aircraft use, or locomotive headlight service.	XZ		3120		9. Automatic stokers designed for burning solid fuel, with an active projected grate surface in excess of 26 square feet, excluding stokers for locomotive and marine use. The term active projected grate surface means grate surface through which air is supplied to the fuel bed, either continuously or intermittently.	XZ		1700	
3. Steam engine-driven generator sets.	X		3003		10. Soot blowers—any device using steam or air to blow soot, cinders, or slag from the heating surfaces of furnaces, boilers, stills and other types of direct-fired heat exchangers, excluding those for locomotive or marine use.				
4. Diesel and natural gas engines, 750 r.p.m. and less, excluding equipment for marine use.	XZ	878	878		11. Steam condensers (surface, jet and barometric), inter and after condensers, and air ejectors, or any combination thereof, including marine condensers and air ejectors other than those produced for the United States Navy for use on ships.	XZ		3003	
5. Diesel and natural gas engine-driven generators, 750 r.p.m. and less, excluding equipment for marine use.	XZ	1801	2810		12. Power frequency changers, 62½ cycles and below.	XZ		1700	
6. Generators designed to be propelled by a steam, hydraulic or gas turbine or steam engine, unless designed for ship propulsion, aircraft use, or locomotive headlight service.	XZ	1801	3120		13. Synchronous condensers.	XZ		1700	
7. Boilers, boiler units, and auxiliaries listed below, excluding those for marine or locomotive use:					14. Mercury are rectifiers and electronic frequency changers for power use.	X		2702	
a. Water-tube steam boilers having 500 or more square feet of boiler heating surface (60 HP), designed to withstand a safe working pressure in excess of 15 pounds per square inch.	XYZ		1700	2645	15. Oil circuit breakers of 2,200 volts or higher.	XZ		1700	
b. Fire-tube steam boilers for waste heat service, down-therm vapor boilers, mercury vapor boilers, and electric boilers.	XYZ		1700	2645	16. Air circuit breakers except types AB, ET, or similar.	XZ		1700	
c. The following boiler auxiliaries when incorporated in or to be installed as a part of a boiler unit listed in a or b above are to be included in reports and requests for approval under a and b above and no additional reports or requests are required:					17. Metal clad switchgear containing oil or air circuit breakers listed in 15 and 16 above and power switchboards.	XZ		1700	
(i) Superheaters.					18. Capacitors for power factor correction.	X		2300	
(ii) Desuperheaters.					19. Liquid-filled power or distribution transformers of 250 KVA and larger; unit substations and unit load centers containing such transformers.	XYZ		2642	2643
(iii) Economizers.					20. Liquid-filled power or distribution transformers 1½ KVA and larger; dry-type transformers with high voltage 601 volts and above; dry-type transformers with high voltage 600 volts and below with capacities 201 KVA and above (single phase) or with capacities 301 KVA and above (three phase).	YZ			2643
(iv) Airheaters.					21. Unit substations and unit load centers, containing transformers listed in 20 above.	YZ			2643
(v) Water walls and water-cooled furnaces.					22. Hammer forged, press forged, and cast crankshafts—finished.	XZ	878C	878C	
d. The following boiler auxiliaries when not incorporated in or to be installed as a part of a boiler unit listed in a or b above:									
(i) Superheaters.									
(ii) Desuperheaters.									
(iii) Economizers.									
(iv) Airheaters.									
(v) Water walls and water-cooled furnaces.	XZ		1700						

1 A manufacturer of a Class X product must file his shipping schedule on Form WFB 3003 or 3401 or on the form shown in Column 2 at his option.

Table of scheduled products	Designation	Applicable forms column		
		1	2	3
23. Transformers, reactors, and chokes for non-power (electronic) applications only		3002.31		

A person placing an order for a Class Y product must use the form shown in Column 3 to obtain WPB authorization unless the product is also in Class Z and he is placing the order under paragraph (e) of M-293.

A person placing an order for a Class Z product under paragraph (e) of M-293 must use Form WPB-3003, 3400, or 3401, as specified in the instructions he received, to accompany his purchase order. If the product is also Class Y, he should use that same form to obtain WPB authorization instead of the form shown in Column 3.

Issued this 28th day of September 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-15778; Filed, September 28, 1943; 11:15 a. m.]

#### PART 3290—TEXTILE, CLOTHING AND LEATHER<sup>1</sup>

[General Preference Order M-166 as Amended September 28, 1943]

##### FLAGS

Section 3290.84<sup>1</sup> (General Preference Order M-166) is hereby amended to read as follows:

§ 3290.84 *General Preference Order M-166*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time, except as otherwise provided herein.

(b) *Definitions.* For the purpose of this order:

(1) "Flag" includes banners, bunting, burgees, colors, guidons, half-fans, net banners, pennants, pull downs, rosettes (or full-fans) and standards.

(2) "Flag manufacturer" means any person manufacturing flags on a commercial scale.

(3) "Converter" means any person who purchases greige goods for conversion into fabrics meeting the requirements of any flag manufacturer.

(4) "Military order" means an order placed by the Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, the War Shipping Administration, the Veterans Administration or the American Red Cross.

(c) *Restrictions on manufacture.* (1) After October 1, 1943, no flag manufacturer shall put into process any woven fabric for the manufacture of any flag (as defined above) except the following:

(i) *Official flags.* Flags of any country, flags of any department or agency of the Federal Government (including the military services and all subdivisions) or flags the use of which is authorized by any of them, flags of any State or municipal government, and flags to be delivered under a military order, as defined above.

(ii) *Religious flags.* The officially adopted flag of any religious denomination or sect.

(iii) *Signal flags.* Code flags, semaphore flags, or flags indicating danger or distress.

(iv) *Service flags.* Flags showing that a person or persons are serving in the armed forces of the United States.

(2) After October 1, 1943, no flag manufacturer shall put into process any material for the manufacture of any flag having an area of more than 150 square feet, except as required by a military order or as permitted under paragraph (g) below.

(d) *Assignment of preference rating.* (1) A preference rating of A-2 is hereby assigned to purchase orders by flag manufacturers for the following materials to be incorporated into flags permitted under paragraph (c) (1) above:

(i) Cotton mercerized bunting manufactured in accordance with the then current issue of Federal Specification CCC-B-791 type A & B.

(ii) Cotton sheeting (greige goods): 40" wide—3.25 yards per pound; 48 x 40 construction.

(iii) Cotton print cloth (greige goods): 38½" 64/66—5.50 yards to pound. 39" 68/64—4.85 yards to pound.

(iv) Flat duck—single yarn—30" wide—7 ounce weight, for heading fabric only.

(v) Rayon fabric: 39" wide, 110 x 60 construction plain weave made with 150 denier viscose or acetate bright rayon yarn in the warp and filling.

(vi) Rayon fabric: 40" wide, 120 x 68 construction plain weave made with 120 denier warp and 150 denier filling acetate bright rayon yarn.

(vii) Rayon fabric: 48" in the reed, 100 ends in the reed, 72 picks, plain weave. 75 denier viscose or cuprammonium rayon warp crepe with 55/57 turns warped 2 ends S twist, 2 ends Z twist. 75 denier viscose or cuprammonium rayon filling with natural twist.

(viii) Rayon fabric: 52" wide, 225 x 76 or 80 construction plain weave made with 2 thread 40 denier cuprammonium 14/16 turns warp. 100 denier cuprammonium 12 turns filling.

(ix) Rayon fabric: 39" wide, 140 x 64 construction satin standard finish made with 100 denier bright viscose warp. 100 denier bright viscose filling.

(x) Pro rata widths to the above mentioned weights and constructions.

(xi) Cotton sewing thread: 40/3 cord 50/3 cord 60/3 cord 70/3 cord.

(2) Such preference rating shall be applied and extended in accordance with Priorities Regulation 3 and General Conservation Order M-328, except that converters may extend ratings only to obtain material which is required to fill a specific order on their books and may not extend ratings to replace inventories.

(3) The preference rating heretofore assigned to converters by this order is hereby revoked. A converter having in his inventory rayon fabric obtained

through the use of such rating shall on or before October 15, 1943, report such inventory by letter (specifying the constructions held). In this letter the converter may request the release of any part of his rayon fabric inventory, indicating the purposes for which he wishes to dispose of it. Any portion of the inventory which is not released upon such application shall be sold only on orders carrying an A-2 or higher rating placed after September 28, 1943 by flag manufacturers.

(e) *Quantity restrictions.* No flag manufacturer shall in any 12 months' period beginning July 1 of any year use in the manufacture of flags a greater quantity of fabrics than he used during the period July 1, 1942 to July 1, 1943.

(f) *Inventory restrictions.* No flag manufacturer or converter shall accept delivery of any materials for flag production, or cause any materials to be accepted on his behalf, if his inventory of raw materials and materials in process will then exceed the quantity to be used by him within 60 days. For this purpose greige goods delivered to flag manufacturers who do their own converting may be considered separately from finished goods, and greige goods may be accepted by such flag manufacturers if they will be converted into finished goods within 60 days.

This inventory restriction is in addition to that contained in § 944.14 of Priorities Regulation 1.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(h) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to the War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Reference M-166.

(i) *Reports.* Each flag manufacturer shall file one copy of Form WPB-3171 as specified in said form.

All reporting requirements in this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(j) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 28th day of September 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-15778; Filed, September 23, 1943; 11:16 a. m.]

<sup>1</sup> Formerly Part 1267, § 1267.1.

PART 3290—TEXTILE CLOTHING AND  
LEATHER<sup>1</sup>

## PIGS' AND HOGS' BRISTLES

[General Preference Order M-51, as Amended  
Sept. 28, 1943]§ 3290.161<sup>1</sup> *General Preference Order  
M-51—(a) Definitions.* For the pur-  
pose of this order:(1) "Bristles" means pigs' or hogs'  
bristles, including riflings, 2 inches or  
longer, whether new, reclaimed, raw,  
dressed, imported or domestic.

(2) [Deleted Sept. 28, 1943]

(3) [Deleted Sept. 28, 1943]

## RESTRICTIONS

(b) *Importation.* Notwithstanding any  
other order, rule, regulation or direction,  
or any certificate or authorization, no  
person other than Defense Supplies Cor-  
poration shall import any variety of  
bristles of the categories known as "Chi-  
nese", "Indians", "Russians" or "Siberi-  
ans". The importation of bristles of  
other categories shall be according to  
General Imports Order M-63, as amend-  
ed from time to time.(c) *Purchase and sale.* Unless other-  
wise authorized in writing by the War  
Production Board:(1) *Undressed domestic bristles.* No  
person other than an approved dresser  
shall buy or accept undressed domestic  
bristles from a slaughter house. "Ap-  
proved dresser" means a person who  
grades, sorts, dresses, reclaims, or in any  
wise processes bristles, and who, in writ-  
ing by the War Production Board, is de-  
signed an approved dresser and author-  
ized to process domestic bristles. This  
designation and authorization, which  
may be conditioned and limited by the  
War Production Board at any time, will  
be made when it approves of a dresser  
as capable of processing domestic bristles  
according to specifications fixed by the  
War Production Board. Applications  
may be made by a dresser at any time by  
submitting samples of his product, pro-  
cessed according to such specifications,  
accompanied by a letter describing his  
experience and equipment.(2) *Dressed domestic bristles.* No per-  
son other than Defense Supplies Corpo-  
ration shall buy or accept dressed do-  
mestic bristles.(3) *Dressed imported bristles.* No  
person other than a dealer (one who  
purchases and sells bristles without  
changing their condition) shall buy or  
accept dressed imported bristles, except:(i) *Purchase for permitted use.* To  
manufacture brushes as permitted in  
subparagraphs (2) and (3) of paragraph  
(d), below.(ii) *Purchase for inventory and inven-  
tory limit.* As may be necessary to en-  
able him to manufacture for inventory  
brushes as permitted by this order, but  
not more than the quantity of brushes  
manufactured and delivered by him ac-  
cording to this order in the calendarmonth preceding that in which the order  
for such bristles is placed:*Provided, That his inventory of bristles  
does not exceed and to the best of his  
knowledge and belief will not thereby  
exceed, the lesser of*(a) *A practicable minimum working  
inventory, or*(b) *One-half of the quantity, by  
weight, of bristles consumed by him dur-  
ing the period January 1, 1943 through  
June 30, 1943 in the manufacture of  
brushes according to this order as issued  
November 30, 1942.*(4) *Seller of bristle or bristle products.*  
No person shall sell or deliver bristles  
to a person prohibited by this paragraph  
(c) from buying or accepting them, or  
bristles or products containing bristles  
knowing or having reason to believe that  
the purchase, acceptance or use of them  
is not or will not be for use or to fill  
orders as permitted by this order.(5) *Buyer of bristle products.* No per-  
son shall buy, accept or use products  
containing bristles, knowing or having  
reason to believe that the purchase, ac-  
ceptance or use of them is not or will not  
be for use or to fill orders as permitted  
by this order.(d) *Use—(1) Domestic bristles.* No  
person, without written authorization of  
the War Production Board, shall use do-  
mestic bristles in the manufacture of any  
product. The assignment of a prefer-  
ence rating is not an authorization to use  
bristles.(2) *Imported bristles.* Unless other  
uses are specifically permitted in writing  
by the War Production Board and re-  
gardless of the assignment of a prefer-  
ence rating, no person shall use imported  
bristles in the manufacture of any prod-  
uct, except as follows:(i) *Dental plate brushes.* Until De-  
cember 31, 1943, 3 inch bristles may be  
used in the manufacture of dental plate  
brushes requiring not more than 1 pound  
of bristles for 120 brushes, in an amount  
not exceeding the manufacturer's use  
of bristles, nylon or both for dental plate  
brushes in the period July 1, 1942  
through December 31, 1942.(ii) *Military orders.* Upon specific  
orders for delivery to or for the account  
of the Army or Navy of the United States,  
the United States Maritime Commission  
or the War Shipping Administration.(iii) *Export orders.* For export from  
the 48 states, the District of Columbia or  
the Territory of Alaska, upon specific  
orders accompanied by individual export  
licenses issued by the Office of Economic  
Warfare or upon specific orders from an  
agency of the United States for delivery  
pursuant to the Act of March 11, 1941,  
as amended, entitled "An Act to Promote  
the Defense of the United States" (Lend-  
Lease Act).NOTE: Following subdivisions (iv), (v),  
(vi) formerly designated (iii), (iv), (v).(iv) *Brushes for construction, main-  
tenance, repair or operating supplies.*  
Bristles 2 to 3½ inches long, inclusive,  
may be used in the manufacture of  
brushes, upon specific orders:*Provided, That no person shall order  
such brushes, except for necessary use in  
the construction, maintenance or repair  
of facilities required for producing any  
product or conducting any business,  
activity or service, listed on Schedule I or  
II, as amended from time to time, an-  
nexed to CMP Regulation 5 or 5A, or for  
necessary operating supplies for any such  
purpose, or to fill specific orders therefor.*(v) *Painters' brushes for construction,  
maintenance, repair or operating sup-  
plies.* Bristles longer than 3½ inches  
may be used in the manufacture of paint-  
ers' brushes, upon specific orders:*Provided, That no person shall order such  
brushes, except for necessary use in the  
construction, maintenance or repair of  
facilities required for producing any  
product or conducting any business,  
activity or service, listed on Schedule I,  
as amended from time to time, annexed  
to CMP Regulation 5 or 5A, or for neces-  
sary operating supplies for any such pur-  
pose, or to fill specific orders therefor.*(vi) *Limitation on orders.* No person  
shall order any brushes, referred to in  
subdivisions (iv) and (v) of this sub-  
paragraph (2), for delivery or accept  
them, during any calendar quarter, in a  
quantity exceeding his requirements for  
such maintenance, repair and operating  
supplies during any such quarter.(3) *Manufacture exceeding specific  
orders and disposal of excess.* The re-  
quirements of subdivisions (ii), (iii), (iv)  
and (v) in the next preceding subpara-  
graph (2) that products be manufactured  
only to fill specific orders, shall not pre-  
vent the manufacture of minimum com-  
mercially practicable quantities of prod-  
ucts exceeding specific orders:*Provided, That any excess manufactured  
shall be sold only upon orders referred  
to in said subdivisions (ii), (iii), (iv) or  
(v) as the case may be, of said paragraph  
(2), above.*(4) *Existing stocks of brushes.* The  
restrictions in this order shall not apply  
to the manufacturer, jobber or retailer,  
as the case may be, with respect to  
brushes in his possession prior to July 30,  
1943.

## CONSERVATION

(e) *Conservation.* Unless otherwise  
authorized in writing by the War Pro-  
duction Board, no person shall use in  
the manufacture of any product a mix-  
ture of more than 55% of pigs' or hogs'  
bristles or a combination of both.*Provided, That this restriction shall not  
apply to:*(1) The manufacture of dental plate  
brushes as described in paragraph (d)  
(2) (i), above.(2) The manufacture of any product  
containing bristles none of which are  
longer than 2½ inches.(3) The manufacture of any product  
bought by or for the account of the Army  
or Navy of the United States, the United<sup>1</sup> Formerly Part 1024, § 1024.1.



States Maritime Commission or the War Shipping Administration, where a contracting or inspecting officer of the department or agency concerned, after reviewing the applicable Emergency Alternate Federal Specification, certifies in a signed certificate, sent to the manufacturer, that a different bristle mixture is necessary for military or naval use.

#### EQUITABLE DISTRIBUTION

(f) *Equitable distribution.* It is the policy of the War Production Board that bristles and products containing bristles, not required to fill rated orders, shall be distributed equitably. In making such distribution due regard should be given to essential civilian needs, and there should be no discrimination in the acceptance or filling of orders as between persons who meet the seller's regularly established prices and terms of sale or payment. Under this policy, every seller of the items, so far as practicable, should make available an equitable proportion of his merchandise to his customers periodically, without prejudice because of their size, location, or relationship as affiliated outlets. It is not the intention to interfere with established channels and methods of distribution, unless necessary to meet war or essential needs. If voluntary observance of the policy outlined is inadequate to achieve equitable distribution, the War Production Board may issue specific directions to concerns. A failure to comply with a specific direction shall be deemed a violation.

#### GENERAL PROVISIONS

(g) *Reports and communications—*  
(1) *Imported bristles.* Every owner of imported bristles shall file with the Bureau of the Census, Department of Commerce, acting as compiling agent for the War Production Board, not later than the 10th day of each month, a report on Form WPB-431 (formerly Form PD-217), showing his holdings and consumption of imported bristles during the preceding month.

(2) *Domestic bristles.* Every owner of more than ten pounds of domestic bristles shall file with the War Production Board not later than the 10th day of each month, a report on Form WPB-2287 (formerly Form PD-781), showing his holdings and shipments of domestic bristles during the preceding month.

(3) *Reporting.* All reports required to be filed and all communications concerning this order shall unless otherwise directed in writing be addressed to the War Production Board, Textile, Clothing and Leather Division, Washington, D. C. Ref.: M-51.

(h) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds for the appeal.

(i) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) [Deleted September 28, 1943]

(k) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

Issued this 28th day of September 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-15780; Filed, September 28, 1943; 11:15 a. m.]

#### PART 3293—ACETONE AND DIACETONE

[Allocation Order M-352]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of acetone and diacetone for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

##### § 3293.541 Allocation Order M-352—

(a) *Definitions.* (1) "Acetone" means acetone (dimethyl ketone) of any grade and from whatever source derived. The term does not include the product commonly known as methyl acetone obtained as a by-product of wood distillation.

(2) "Diacetone" means diacetone alcohol of any grade and from whatever source derived.

(3) "Producer" means any person who produces or imports acetone or diacetone, and includes any person who has either produced for him pursuant to toll agreement.

(4) "Distributor" means any person who buys acetone or diacetone for purposes of resale as such.

(5) "Supplier" means a producer or distributor.

(b) *Restrictions on deliveries.* (1) No supplier shall deliver acetone or diacetone to any person except as specifically authorized in writing by War Production Board, in the normal case upon application filed pursuant to paragraph (e) hereof.

(2) No person shall accept delivery in any calendar month from all suppliers of more than 1750 pounds (5 drums) in the aggregate of acetone, or more than 2075 pounds (5 drums) in the aggregate of diacetone, except as specifically authorized in writing by War Production Board, in the normal case upon application filed pursuant to paragraph (f) (1) hereof.

(3) No person shall accept delivery in any calendar month from all suppliers of more than 350 pounds but less than 1750 pounds in the aggregate of acetone, or of more than 415 pounds but less than 2075 pounds in the aggregate of diacetone, unless and until he shall have furnished each supplier with a use certificate pursuant to paragraph (f) (2) hereof.

(c) *Restrictions on use.* (1) No supplier shall use acetone or diacetone except as specifically authorized or directed in writing by War Production Board, in the normal case upon application filed pursuant to paragraph (f) (1) hereof.

(2) Each person who with an order for acetone or diacetone furnishes the certificate required by paragraph (f) (2), shall use the material delivered on such order only as specified in such certificate except as otherwise specifically authorized or directed in writing by War Production Board.

(3) Acetone and diacetone allocated for inventory shall not be used for any purpose except as specifically authorized or directed in writing by War Production Board.

(d) *General and special instructions of War Production Board.* (1) Authorizations and directions as to deliveries and use to be made by suppliers and with respect to acceptance of delivery in quantities exceeding 1750 pounds in the aggregate of acetone and exceeding 2075 pounds in the aggregate of diacetone in each month will generally be issued by War Production Board prior to the beginning of such month, but War Production Board may at any time issue special directions to any person with respect to:

(i) Use, delivery or acceptance of delivery of acetone and diacetone

(ii) Production of acetone and diacetone.

(e) *Applications by suppliers for authorization to deliver.* (1) Each supplier seeking authorization to make delivery of acetone or diacetone during any calendar month to any person who has filed with him Form WPB-2945 (formerly PD-600) respecting a delivery in such month, shall file application on or before the 20th day of the preceding month. The application shall be made on Form WPB-2947 (formerly PD-602) in the manner set forth in the general instructions appearing on that form, subject to the special instructions appearing in Appendix A. If there is an inconsistency between the general and special instructions, the special instructions must be followed.

(2) Each supplier seeking authorization to make delivery of acetone or diacetone during any calendar month to any person who has filed with him the use certificate provided for by paragraph (f) (2) or to any person ordering not more than 350 pounds of acetone or 415 pounds of diacetone, shall file application on or before the 20th of the preceding month. The application shall be made on Form WPB-2947 (formerly PD-602) in the manner set forth in the general instructions appearing in Appendix A. If there is an inconsistency between

the general and special instructions, the special instructions must be followed.

(f) *Applications and use certificates to be filed by prospective purchasers.* (1) Each person wishing to obtain delivery in any calendar month from all sources of more than 1750 pounds of acetone, or more than 2075 pounds of diacetone (and each supplier requiring authority to use acetone or diacetone in any calendar month regardless of quantity), shall file application on or before the 10th of the preceding month. The application shall be made on Form WPB 2945 (formerly PD-600) in the manner set forth in the general instructions appearing on that form, subject to the special instructions contained in Appendix B. If there is an inconsistency between the general and special instructions, the special instructions must be followed.

(2) Each person wishing to accept delivery in any calendar month from all sources of more than 350 pounds (but less than 1750 pounds) of acetone, or more than 415 pounds (but less than 2075 pounds) of diacetone, shall file with each supplier on or before the 10th of the preceding month a certificate stating the use for which he is ordering the particular material. Such certificate must be substantially in the form indicated in Appendix C. It need not be filed with War Production Board. A supplier must not deliver acetone or diacetone where he knows or has reason to believe the purchaser's certificate is false, but in the absence of such knowledge, or reason to believe, he may rely on the certificate.

(g) *Miscellaneous provisions.*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of War Production Board, as amended from time to time.

(2) *Approval of reporting requirements.* Forms WPB 2945 and WPB 2947 (formerly PD-600 and PD-602 respectively), provided for in paragraphs (e) (1), (e) (2) and (f) (1), have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(3) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington 25, D. C. Ref.: M-352.

Issued this 28th day of September 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### APPENDIX A—SPECIAL INSTRUCTIONS FOR SUPPLIER'S FORM WPB 2947 (FORMERLY PD-602)

(1) *Obtaining forms.* Copies of Form WPB 2947 (formerly PD-602) may be obtained at local field offices of the War Production Board.

(2) *Number of copies.* Prepare an original and three copies. File original and two copies with War Production Board, Chemicals Division, Washington 25, D. C., Ref: M-352, retaining the third copy for your files. The original shall be manually signed by a duly authorized official.

(3) *Information at top of form.* In the heading, under "Name of material", specify "Acetone" or "Diacetone", as the case may be; leave "Grade" blank; under "WPB Order No.", specify "M-352", indicate month and year during which deliveries covered by the application are to be made; under "Unit of measure", specify "Pounds", under "Name of company", specify your name and the address of the plant from which shipment will be made.

(4) *Listing of customers.* In Column 1 (except for small orders as explained in (6) below) list the name of each customer from whom an order for delivery during the applicable month has been received. List first the name of each customer who has filed with you Form WPB 2945 (formerly PD-600) in connection with his order. Thereafter, leave a space, and insert in Column 1 "Use certificate", and then list the name of each customer from whom a use certificate has been received under paragraph (f) (2) with respect to a delivery in the applicable month. Do not list names of customers who have not placed with you either Form WPB 2945 or a use certificate. If it is necessary to use more than one sheet to list customers, number each sheet in order and show separately on the last sheet the total poundage ordered by customers filing Form WPB 2945, and the total poundage ordered by customers filing use certificates.

5. *Primary product and end use.* In column 1-a, opposite the name of each customer filing a use certificate (obtained under paragraph (f) (2)), specify the product or products in the manufacture or preparation of which acetone or diacetone will be used by such customer, the end use to which such product or products will be put, Army or Navy contract numbers, Lend-Lease requisition or contract numbers, and export license numbers, all as indicated on such use certificate. The quantity of acetone or diacetone used in the manufacture or preparation of each primary product for each end use shall be shown separately. If the acetone or diacetone ordered by a customer is for two or more uses, indicate each use separately and list the quantity ordered for each use. It is not necessary to show primary product or end use with respect to a customer filing Form WPB 2945 (formerly PD-600). Instead, in Column 1-a, opposite the name of each customer filing such Form WPB 2945, enter merely "WPB 2945".

(6) *Small orders.* It is not necessary to list the name of any customer to whom the supplier is to deliver in the applicable month not more than 350 pounds of acetone or 415 pounds of diacetone, unless such customer has filed a use certificate, nor is it necessary in the case of any such delivery to show the name of the product or end use. Instead, write in Column 1 "Total small order deliveries (estimated)" and in Column 4, specify total estimated quantity of acetone or diacetone to be delivered on such orders.

(7) *Use by producers.* Each producer who has filed application on Form WPB 2945 (formerly PD-600) specifying himself as his supplier, shall list his own name as customer in Column 1 on Form WPB 2947 (formerly PD-602).

(8) *Table II.* Each producer shall report production, deliveries and stocks as required by Table II, Columns 9 to 16, inclusive. Distributors shall fill out only Columns 10, 12 and 13. Producers and distributors shall leave Column 8 blank.

#### APPENDIX B—SPECIAL INSTRUCTIONS FOR CUSTOMER'S FORM WPB 2945 (FORMERLY PD-600)

(1) *Obtaining forms.* Copies of Form WPB 2945 (formerly PD-600) may be obtained at local field offices of the War Production Board.

(2) *Number of copies.* Prepare an original and four copies. Forward original and two copies to War Production Board, Chemicals Division, Washington 25, D. C., Ref: M-352, forward one copy to the supplier with whom the order is placed, and retain one copy for your files. The original shall be signed by a duly authorized official. Where the application is by a supplier for authorization to use, no copy should be sent to a producer or distributor.

(3) *Material.* In the heading under "Name of chemical", specify "Acetone" or "Diacetone"; as the case may be; under "WPB Order No.", specify "M-352"; under "Unit of measure", specify "Pounds".

(4) *Month and year.* In the heading, at top of Table I, specify the month and year for which delivery is requested.

(5) *Primary product.* In Column 3, applicant must specify in terms of the following the product or products in the manufacture or preparation of which the acetone or diacetone will be used:

Acetic anhydride	—	Other (specify)
Denaturant		Inventory
Methyl isobutyl ketone		Export
		Resale

(6) *End use.* In Column 4, applicant will specify with respect to each primary product the ultimate use to which such primary product will be put in terms of the following:

Opposite any primary product listed in Column 3 which is subject to allocation, specify in Column 4 only the allocation order number, (for example: "Order M-243" for acetic anhydride).

Opposite any primary product listed in Column 3 which is not under allocation, specify end use in terms of the following, giving also Army and Navy contract numbers, and Lend-Lease requisition or contract numbers when available:

Acetylene solvent	Nitrocellulose lacquers
Artificial leather	Nitrocellulose plastics
Cellulose acetate (rayon & plastics)	Paint & varnish removers
Cements	Perfumes
Cleaners	Photographic films
Dewaxing lubricating oils	Printing Inks
Explosives	Resins
Extraction	Rubber anti-oxidants and other rubber applications
Fingernail enamels and enamel removers	Wash thinners
Insecticides	Other (specify)
Liniments	
Medicinals & pharmaceuticals	

Opposite "Export" in Column 3, specify in Column 4 the name of individual, company or governmental agency to whom or for whose account the material is to be exported, the country of destination and the governing export license number, unless Lend-Lease, in which case merely specify the Lend-Lease requisition or contract number.

Opposite "Resale" in Column 3, distributors shall write into Column 4 "upon further authorization" or "for uncertified small orders".

Opposite "Inventory" in Column 3, specify in Column 4 "subject to further authorization".

(7) *Tables II, III and IV.* Fill out Tables II, III and IV completely.

(8) *Table V.* In Column 23, list each primary product produced in last month. In Column 24, list quantity of acetone or diacetone consumed in last month in the manufacture of such primary product. In Column 25, list the quantity of acetone or diacetone allocated to you for the manufacture of each such primary product in last month.

## APPENDIX C

## CUSTOMER'S CERTIFICATE OF INTENDED USE

The undersigned purchaser hereby certifies to War Production Board and to his supplier, pursuant to Order No. M-352, that the acetone or diacetone ordered for delivery in \_\_\_\_\_ month

194\_\_\_\_, will be used by him in the manufacture or preparation of the following product(s), and that such product(s) on the basis of order(s) filed with the undersigned, will be put to the following end use(s):

	Pounds	Primary product	End use
(A)	-----	-----	-----
(B)	-----	-----	-----

By \_\_\_\_\_  
Duly Authorized Official      Title \_\_\_\_\_  
Date \_\_\_\_\_

## INSTRUCTIONS FOR CUSTOMER'S CERTIFICATE

(1) The certificate shall be signed by an authorized official of the purchaser, either manually or as provided in Priorities Regulation No. 7.

(2) Under "Primary product", specify the exact product or products in the manufacture or preparation of which the acetone or diacetone will be used or incorporated. Primary products should be stated in terms of the primary products listed in paragraph (5) of Appendix B.

(3) Under "End use", specify the ultimate or end use to which the primary product will be put in terms of the end uses stated in paragraph (6) of Appendix B. Also indicate whether end use is civilian, Lend-Lease, other export or military, and if the product is for uses falling in two or more such categories, the percentage falling in each. Also, indicate contract numbers in the case of military use, requisition or contract numbers in the case of Lend-Lease, and in the case of other export, export license numbers. A distributor ordering acetone or diacetone for resale as such will leave blank the "End use" column.

[F. R. Doc. 43-15784; Filed, September 28, 1943; 11:17 a. m.]

PART 3293—CHEMICALS<sup>1</sup>

[Preference Rating Order P-135, as Amended Sept. 28, 1943]

## REAGENT CHEMICALS

§ 3293.526<sup>1</sup> *Preference Rating Order P-135—(a) Definitions.* For the purposes of this order:

(1) "Reagent chemical" means any chemical prepared and packed for reagent use in laboratories.

(2) "Laboratory" means any person engaged in the business of carrying on scientific or technological investigation, testing, development or experimentation, to the extent that he is so engaged. The

term includes research laboratories, production control laboratories, clinical laboratories and instructional laboratories. It does not include any person to the extent that he is engaged in the manufacture of products for commercial sale, even though the place in which the products are manufactured may be called a laboratory.

(3) "Distributor" means any person who buys reagent chemicals for resale without further processing.

(4) "Producer" means any person engaged in the production of reagent chemicals and includes any person who has them produced for him pursuant to toll agreement.

(b) *Assignment of preference ratings.* (1) Preference rating AA-1 is hereby assigned to deliveries of any reagent chemical to any laboratory to which a serial number has been assigned under Preference Rating Order P-43, and to any laboratory owned and operated by the Army or Navy of the United States.

(2) Preference rating AA-2 is hereby assigned to:

(i) Deliveries of any reagent chemical to any laboratory to which a serial number has not been assigned under Preference Rating Order P-43.

(ii) Deliveries of any reagent chemical to a distributor or producer.

(c) *Application and extension of rating.* The preference rating assigned by paragraph (b) hereof shall, subject to the provisions of paragraph (d) hereof, be applied or extended only in accordance with the provisions of Priorities Regulation No. 3, as amended from time to time.

(d) *Restrictions on applications and extensions of rating.* The preference rating hereby assigned shall not be applied:

(1) To obtain deliveries of any reagent chemical or material:

(i) Which will be incorporated in, or which will enter into any chemical reaction directly involved in the manufacture of any product, other than a reagent chemical, manufactured for sale;

(ii) Which will be used in the rendering of any service other than analytical, testing, control, educational or research laboratory services.

(2) To obtain deliveries during any calendar quarter of reagent chemicals, and material (not including maintenance, repair and operating supplies) which will enter, at any stage, into the production of reagent chemicals, greater in dollar value than the sum of the following:

(i) Twenty-five percent (25%) of the total dollar value of reagent chemicals and such material delivered, for analytical, testing, control or research purposes (exclusive of educational purposes) or for the manufacture of such reagent chemicals, to the person applying the rating hereby assigned during the twelve (12) month period ended September 30, 1942, and

(ii) One hundred percent (100%) of the total dollar value of reagent chemicals and such material delivered, for educational purposes or for the manufacture of reagent chemicals for such purposes, to the person applying the rating hereby assigned during such twelve (12) month period: *Provided, however,* That the dollar value of deliveries of reagent chemicals for educational purposes and of material which will enter into the production of reagent chemicals for educational purposes, to which such preference rating may be applied in any four successive quarters shall not exceed one hundred percent (100%) of the total dollar value of reagent chemicals and such material delivered for such purposes to the person applying the rating during such twelve (12) month period.

(3) If during any calendar quarter or other applicable period the dollar volume of production, services rendered, appropriations for research or number of students enrolled, by the person applying the rating hereby assigned, is greater than for the corresponding quarter or other period of the twelve (12) months ended September 30, 1942, the allowable dollar value to which the rating hereby assigned may be applied in terms of paragraph (d) (2), may be increased in proportion to the increase in production, services rendered, research appropriation or enrollment.

(4) The quantitative restrictions of CMP Regulations 5 and 5A shall not apply to deliveries of reagent chemicals or of material (not including maintenance, repair and operating supplies) which will enter into the production of reagent chemicals.

(e) *Miscellaneous provisions—(1) Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of priorities regulations of the War Production Board, as amended from time to time.

(2) *Communications to War Production Board.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington 25, D. C., Ref: P-135.

Issued this 23th day of September 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-15781; Filed, September 23, 1943; 11:16 a. m.]

PART 3293—CHEMICALS<sup>1</sup>

[Supplementary Order P-135-a, as Amended September 23, 1943]

## REAGENT CHEMICALS

§ 3293.531<sup>1</sup> *Supplementary Order P-135-a—(a) What this order does.* This order provides a standard form of certification for laboratories ordering reagent chemicals for analysis, testing control, educational or research purposes.

<sup>1</sup> Formerly Part 3119, § 3119.1.

<sup>1</sup> Formerly Part 3119, § 3119.2.

This order also provides that each laboratory shall be entitled to the full small order exemption of each WPB chemicals order.

(b) *Form of certification under small order exemptions.* Laboratories and laboratory suppliers ordering reagent chemicals under the small order exemption provided by any WPB chemicals order, may use this form of certification:

Pursuant to Order P-135-a, the undersigned represents to the seller and to the War Production Board that the reagent chemicals called for by this purchase order will be used, or resold for use, in a laboratory for one or more of the following purposes: Analysis, testing, control, educational or research. This purchase order is placed in accordance with the small order exemption(s) provided by the applicable WPB order(s).

(Name of purchaser)

By \_\_\_\_\_  
(Signature and title of duly  
authorized official)

(c) *Form of end certificate.* Laboratories and laboratory suppliers ordering reagent chemicals may use the following form of certificate in any case in which a WPB chemicals order requires a certificate of end use as a basis for allocation:

Pursuant to Order P-135-a, the undersigned represents to the seller and to the War Production Board that the reagent chemicals called for by this order will be used, or resold for use, in a laboratory for one or more of the following purposes: Analysis, testing, control, educational or research.

(Name of purchaser)

By \_\_\_\_\_  
(Signature and title of duly  
authorized official)

Attention is drawn to the fact that the above end use certificate is the same as the small order certificate with the last sentence struck out.

(d) *Optional use of certificate.* The above standard certificate is optional. The certificate specified in the applicable WPB chemicals order may be used instead, and it is not necessary to use any certificate if the applicable WPB chemicals order does not require a certificate.

(e) *When the certificate may not be used.* The above certificate may not be used:

(1) In place of any certificate required to apply or extend preference ratings or allotment numbers or symbols.

(2) In place of a WPB-2945 (formerly PD-600) application form or any similar form.

(3) In any case where the applicable WPB order expressly prohibits use of the chemical except for one or more purposes which are specified in the WPB order, and where the WPB order requires that purchase orders carry a certificate specifying one of the permitted uses; for example, the Quinine Order, M-131.

(f) *Separate small order exemptions for laboratories.* Each laboratory shall be considered a separate person for the purpose of the small order exemption provisions of WPB chemicals orders, and therefore shall be entitled to the full exemption provided by each order.

(g) *Limited exemption from requirement to file or receive certificates on*

*small orders.* Where a WPB chemical order conditions the delivery or acceptance of delivery of stated small quantities of the subject chemical without specific authorization of War Production Board on the receipt of filing of a certificate, a laboratory may without furnishing the certificate accept delivery of that chemical in any period, and a producer or distributor may without receiving the certificate make delivery of that chemical to a laboratory in any period, in a quantity not exceeding 10% of the amount which in the period may without specific authorization be accepted or delivered, as the case may be.

Note: Following paragraph (h) formerly designated paragraph (g).

(h) *Communications to the War Production Board.* All communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington 25, D. C. Ref.: P-135-a.

Issued this 28th day of September 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-15782; Filed, September 28, 1943; 11:15 a. m.]

#### PART 3293—CHEMICALS<sup>1</sup>

[Preference Rating Order P-89, as Amended Sept. 28, 1943]

##### MAINTENANCE, REPAIR AND OPERATING SUPPLIES

§ 3293.521<sup>1</sup> *Preference Rating Order P-89—(a) Definitions.* For the purpose of this order:

(1) "Producer" means any person operating a plant physically situated within the limits of the United States, its territories and possessions, or the Dominion of Canada, and engaged in the production of chemicals or allied products, who shall have received a serial number from the War Production Board pursuant to paragraph (b).

(2) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind.

(3) "Controlled material" means controlled material as defined in CMP Regulation No. 1.

(4) "Maintenance" means the upkeep of a producer's property and equipment in sound working condition.

(5) "Repair" means the restoration of a producer's property and equipment to sound working condition when the same has been rendered unsafe or unfit for service by wear and tear, damage, failure of parts or the like.

(6) "Operating supplies" means any material which is essential to the operation of the producer's plant including, but not limited to, lubricants, catalysts, and small perishable tools: *Provided, however, That the term operating supplies shall not include;*

(i) Any material which is physically or chemically incorporated, at any stage of production, in whole or in part, into any material which the producer manufactures.

(ii) Any material which, at any stage of production, enters into the chemical reaction necessary to the manufacture, or is used in the purification (including, among other things, washes, solvents, extractants and the like) of any material which the producer manufactures.

(7) Material for maintenance, repair and operating supplies shall include:

(i) Material for the improvement of the producer's plant through the replacement of material in the existing installation, but only when such equipment is beyond economical repair.

(ii) Material for the maintenance and repair of pressure cylinders.

(iii) Material, such as hand tools, customarily purchased by the particular employer for sale to his employees for use only in his business, provided such material would constitute an operating supply under established accounting practice if issued to employees without charge.

(8) In addition, there may be included as maintenance, repair and operating supplies minor capital additions, the cost of which does not exceed \$500, excluding the producer's cost of labor, for any one complete addition which has not been subdivided for the purpose of coming within this definition: *Provided, however, That such minor capital additions shall not include additions to, or expansions of, buildings or external structures other than processing equipment.*

In the case of rearrangement of an existing installation, or in the case of adaptation of an existing installation to a different process, only the material added to the existing installation need be considered in computing the \$500.

(9) [Revoked September 28, 1943. Former paragraphs (a) (9) (i) through (ix) are covered by paragraph (g) (3), and former paragraph (a) (9) (x) is covered by paragraph (a) (8).]

(10) "Calendar quarter" means the quarterly period commencing on the first day of the first, fourth, seventh and tenth months of the calendar year and ending, respectively, on the last day of the third, sixth, ninth, and twelfth months of the calendar year, or the operator's customary three months accounting period closest to such quarter.

(11) "Unit cost" means the purchase price paid by the producer for material for maintenance, repair or operating supplies. Unit cost shall include labor cost, except cost of labor performed by employees of the producer, but shall not include transportation charges. An item for maintenance, repair or operating supplies shall not be subdivided into its component parts for the purpose of determining unit cost.

(b) *Application for assignment of serial number.* In order to become a producer subject to this order, any per-

<sup>1</sup> Formerly Part 1026, § 1026.1.

son operating a plant physically situated within the limits of the United States, its territories and possessions, or the Dominion of Canada, and engaged in the production of chemicals or allied products, may apply by letter requesting assignment of a serial number under this order to specified plants. Such letter shall be addressed to War Production Board, Chemicals Division, Washington 25, D. C., Ref: P-89, and shall be accompanied by application on Form WPB-1765 (formerly PD-762)\* pursuant to paragraph (d) (1) for the current or succeeding calendar quarter.

(c) Assignment of preference rating, allotment symbol and purchase order quota for fourth calendar quarter of 1943. (1) The preference ratings, allotment symbols and purchase order quotas under this order for the fourth quarter of 1943 shall be those assigned by the War Production Board to each producer on the basis of applications on Form WPB-1765 (formerly PD-762).<sup>2</sup>

(2) No producer shall place any purchase order for any material for maintenance, repair or operating supplies, whether or not accompanied by preference ratings or allotment symbols assigned under this order, which would cause the producer to exceed his purchase order quota for such material assigned pursuant to paragraph (c) (1), unless authorized upon application pursuant to paragraph (e).

(d) Assignment of preference rating, allotment symbol and purchase order quota for calendar quarter after January 1, 1944. (1) Preference rating AA-1 and allotment symbol MRO-P-89 are hereby assigned to purchase orders for materials for maintenance, repair and operating supplies placed by producers on or after January 1, 1944; *Provided, however,* That no producer shall apply the preference rating or allotment symbol assigned by this paragraph to any order for fabricated parts or equipment having a unit cost of \$500 or more, or to purchase orders placed during any calendar quarter for an aggregate amount of aluminum in any of the forms or shapes constituting a controlled material in excess of 500 pounds. Application for preference ratings or allotment numbers or symbols for such orders may be made pursuant to paragraph (e).

(2) No producer shall place any purchase order for any material for maintenance, repair or operating supplies, whether or not obtained with preference ratings or allotment numbers or symbols derived from any source, which would cause the aggregate dollar value of purchase orders for materials for maintenance, repair and operating supplies placed by the producer during the calendar year 1944 to exceed the aggregate dollar value of purchase orders for

such materials placed by the producer during the calendar year 1943.

(e) Special applications. (1) If the producer is unable to secure delivery of materials for maintenance, repair or operating supplies (except aluminum controlled materials) because the preference ratings or allotment numbers or symbols assigned hereunder are insufficient, or because the producer's purchase order quota, or the unit cost limitation would be exceeded, the War Production Board may, upon written or telegraphic request, assign such special ratings or allotments or additions to the purchase order quota as it deems proper. Such letters or telegrams shall be addressed to the War Production Board, Chemicals Division, Washington 25, D. C., Ref: P-89, and shall contain the following information:

1. Plant location and serial number.
2. Material needed.
3. Weight of the material (specify separately weight of each controlled material required).
4. Value of the material.
5. Function of the material.
6. Amount of such material (or equivalent substitute) in inventory and, in the case of processing equipment, the number of units in service.
7. Name and address of supplier.
8. Purchase order number and date.
9. Product or products affected.
10. Percentage curtailment of production.
11. Nature of the emergency.
12. Requested rating and allotment.
13. Delivery date promised by supplier on basis of rating requested.

(2) Any producer requiring aluminum in any of the forms or shapes constituting a controlled material for essential maintenance, repair or operating supplies, in amounts in excess of 500 pounds during any one calendar quarter, shall apply by letter for an allotment for the amount in excess of 500 pounds to the War Production Board, Ref: Aluminum and Magnesium Division MRO, giving substantially the information described by paragraph (d) of Supplementary Order M-1-i.

(f) Special preference ratings for containers. Any producer may apply to the War Production Board, Chemicals Division, Washington 25, D. C., Ref: Chemicals Packaging Section, for special preference ratings under this order for containers and container parts, other than wooden or fibre containers as defined in Preference Rating Order P-140.

The application shall be filed by letter in duplicate or by telegram and shall specify:

1. Product to be packaged.
2. Plant location and serial number.
3. Number of containers requested.
4. Specification of container.

5. Other sizes of containers used to package the product.

6. Average number of containers shipped per month (of the size ordered).

7. What substitute containers have been used or could be used.

8. Inventory position of the requested container, including both new and used containers, and those out on deposit.

9. Name of container supplier and applicant's order number.

10. Total value.

11. Rating requested.

12. Delivery date promised by supplier on the basis of rating requested.

(g) Procedure for applying preference ratings and allotment numbers or symbols to purchase orders. (1) Each producer requiring delivery of material for maintenance, repair or operating supplies may obtain such material by endorsing on, or furnishing with, the delivery order a certification in substantially the following form, signed manually or as provided in Priorities Regulation No. 7:

----- (Preference rating) ----- (Allotment number or symbol)

The undersigned purchaser certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board, that, to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders to place this delivery order, to receive the item(s) ordered for the purpose for which ordered, and to use any preference rating or allotment number or symbol which the undersigned has placed on this order.

(Name of purchaser)	(Address)
By _____	_____
(Signature and title of duly authorized officer)	(Date)

(2) An order bearing such certification shall be deemed an authorized controlled material order in the case of controlled materials, and in the case of all other materials shall have the same status as an order bearing an allotment number or symbol for the purposes of CMP Regulation No. 3 and all other applicable CMP regulations.

(3) No producer may apply the ratings assigned by or pursuant to this order to obtain delivery of the items set forth in Lists A and B attached to Priorities Regulation 3, as now or hereafter amended, except where the regulation permits the use of P-89 ratings for a particular item.

(h) Inventory diversion. No producer shall use material for maintenance, repair or operating supplies obtained with ratings or allotment numbers or symbols assigned by or pursuant to this order, except in that portion of his productive facilities to which a serial number under this order has been assigned.

(i) Inventory restriction. No producer shall accept delivery of any non-controlled material for maintenance, repair or operating supplies, whether or not obtained with preference ratings or allotment numbers or symbols assigned by or



pursuant to this order, which would cause his inventory of such material for maintenance, repair or operating supplies to exceed a minimum practicable working inventory. Inventories of controlled materials held by producers are subject to the provisions of CMP Regulation No. 2.

(j) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board regulations, as amended from time to time; *Provided, however,* That no producer shall be subject to the provisions of CMP Regulations No. 5 or No. 5A, and no producer shall obtain any material under the provisions of either of said regulations. For the purpose of this order a producer remains a producer from the time a serial number is granted to him until the time when the serial number is expressly revoked by the War Production Board.

(k) *Miscellaneous provisions—(1) Records.* In addition to the records required to be kept under Priorities Regulation No. 1, a producer placing any purchase order or contract rated or assigned a CMP allotment number or symbol hereunder, shall retain, for a period of two years, for inspection by representatives of the War Production Board, endorsed copies of such purchase orders or contracts, whether accepted or rejected, segregated from all other purchase orders or contracts, or filed in such manner that they can be readily segregated for such inspection.

(2) *Reports.* The War Production Board may require each producer to file such other reports as may be prescribed, subject to the approval of the Bureau of the Budget pursuant to Federal Reports Act of 1942, and may issue special directions to any producer with respect to preparing and filing Form WPB-1765 (formerly PD-762).<sup>2</sup>

(3) *Conservation and standardization.* Each producer shall use his best efforts to conserve materials by elimination, simplification or standardization of types, sizes or forms or by substitution of less critical for more critical materials, and shall cooperate in any program developed for such purpose by the War Production Board. The Conservation Division of the War Production Board issues, periodically, a publication showing the relative scarcity of materials, entitled, "Materials Substitutions and Supply".

(4) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter, in triplicate, referring to the particular provisions appealed from and stating fully the grounds of the appeal.

(5) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment.

<sup>2</sup> Approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(6) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Chemicals Division, Washington 25, D.C.; Ref.: P-89.

Issued this 28th day of September 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-15783; Filed, September 28, 1943; 11:16 a. m.]

#### Subchapter D—Office of the Rubber Director

#### PART 4600—RUBBER, SYNTHETIC RUBBER, BALATA AND PRODUCTS THEREOF

[Amendment 4 as Amended September 27, 1943, to Rubber Order R-1 as Amended]

Amendment No. 4 to Rubber Order R-1, issued September 7, 1943 is hereby amended to read as follows:

1. Sections 4600.27 and 4600.28 are amended to read as follows:

§ 4600.27 *Use of crude rubber or natural latex cement.* No person shall use cement which contains crude rubber or natural latex for any industrial or commercial purpose except:

(a) In the manufacture, application or repair of any product in the manufacture of which this order permits rubber, synthetic rubber or balata to be consumed.

(b) In the manufacture and repair of shoes but only in the following operations after October 1, 1943:

(1) Cutting and fitting room operations limited to: Folding uppers including French cord binding.

(2) Lasting room operations limited to: Bed, side and semi-automatic toe lasting; stitchdown construction lasting linings to insoles and uppers to midsoles or outsoles.

(3) Bottoming or making room operations limited to: Sole laying as follows—cementing bottoms and outsoles or outsole midsole combinations prior to permanent attachment; prewelt bottom assembly and permanent attachment of platforms and outsoles; McKay outsole channels.

(4) Stock fitting room operations limited to: Cementing welt insole ribs and lips; coating and attaching gum duck to welt innersoles.

(5) Special operations limited to: Repairing shoes; joining leather welting.

§ 4600.28 *Delivery of crude rubber and natural latex cement.* (a) Except for monthly deliveries of twelve gallons or less for repairs as permitted by paragraph (b) below, no person shall deliver any cement which contains crude rubber or natural latex to another person unless such person shall attach to his purchase order a certification in substantially the following form signed by an authorized

official either manually or as provided in Priorities Regulation No. 7:

The undersigned hereby certifies to

(insert name and address of seller)

and to the War Production Board that he is familiar with Rubber Order R-1 restrictions on the use of crude rubber and natural latex cement and that the cement specified in the accompanying purchase order will be used or sold by him only for permitted operations as indicated below:

Manufacture or repair of products in the manufacture of which rubber, synthetic rubber or balata is permitted.

Manufacture or repair of shoes.

Date

Name of purchaser

Authorized official

(Use only the applicable statement of use.)

Any person making delivery of cement may rely upon the certification of the purchaser, unless he knows or has reason to believe that the certification is false.

(b) A person engaged in shoe repairing or other repair operations may purchase in any calendar month a total of twelve gallons of crude rubber and natural latex cement for permitted uses without making the foregoing certification.

The certification shall not be required by a seller for deliveries of crude rubber and natural latex cement in lots of twelve gallons or less to a person acquiring the same for shoe repairing or other permitted repair operations, unless the seller knows or has reason to believe that the purchaser does not come within this exception.

(P.D. Reg. 1 as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9246, 7 F.R. 7379; sec. 2 (a), Pub. Law 671, 76th Cong. as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 27th day of September 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-15714; Filed, September 27, 1943; 11:43 a. m.]

#### Chapter XI—Office of Price Administration

#### PART 1305—ADMINISTRATION

[Licensing Order 1]

#### LICENSING OF SALES UNDER PRICE CONTROL

Pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, it is ordered:

§ 1305.72 *License required.* Any person who makes a sale under price control is hereby required to have a license to make such sales.

§ 1305.73 *License granted.* A license to make sales under price control is automatically granted to all persons who now

or hereafter make such sales. But the grant of this license to any person whose license heretofore granted by the Office of Price Administration is under suspension shall become effective for sales to which the suspension applies only at the end of the period of suspension.

§ 1305.74 *License suspension.* A license granted hereby may be suspended in accordance with the provisions of the Emergency Price Control Act of 1942 for violations of the license or of one or more applicable maximum price regulations. The provisions of all such regulations are made a part of each license granted hereby, and a violation of any such provision is a violation of the license. A person whose license has been suspended may not, during the period of suspension, make any sale for which his license has been suspended.

§ 1305.75 *Previous licenses.* Every license heretofore granted by the Office of Price Administration and in effect when this order becomes effective, is merged and continued in the license granted by this order. The former license no longer continues as a separate license. If the former license is suspended by a pending license suspension proceeding, the license granted by this order is suspended to the same extent. Proceedings to suspend a license granted hereby may be begun and maintained without a further warning notice to any person to whom a warning notice under a previous license was sent.

§ 1305.76 *Exemptions.* No license is required of, or granted to, a farmer as a condition of selling an agricultural commodity produced by him, a fisherman as a condition of selling a fishery commodity caught or taken by him, the United States, or any agency thereof, or any other Government, its political subdivisions or agencies.

§ 1305.76a *Definitions.* When used in this Licensing Order No. 1 the term:

(a) "Sale under price control" means any sale for which a maximum price is established by, or must be determined pursuant to, a maximum price regulation.

(b) "Maximum price regulation" means any maximum price regulation, revised maximum price regulation, price schedule, revised price schedule, or order establishing or providing for the determination of maximum prices, issued by the Office of Price Administration.

(c) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing.

(d) "Person who makes a sale" and "seller" include both a person who sells for his own account and a person who sells for the account of another, whether as broker, agent, auctioneer, or otherwise.

*Effective date.* This Licensing Order No. 1 shall become effective 12:01 A. M. October 1, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

No. 193—4

Issued this 27th day of September 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-15739; Filed, September 28, 1943; 9:27 a. m.]

#### PART 1305—ADMINISTRATION [Licensing Order 2]

##### REQUIRING REGISTRATION OF DEALERS LICENSED TO SELL WASTE, SCRAP AND SALVAGE MATERIAL

Pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, including Section 205 (f) (1) thereof, *It is hereby ordered:*

§ 1305.99 *Effect of Licensing Order No. 1.* Licensing Order No. 1 licenses all persons who make sales under price control. A license granted by the Office of Price Administration prior to the effective date of Licensing Order No. 1 is merged and continued in the license granted by Licensing Order No. 1. Therefore, the license granted by Supplementary Order No. 5 to every dealer selling to a consumer (and in the case of iron and steel scrap, to a consumer or his broker) any waste, scrap or salvage material for which maximum prices are established by price schedules and price regulations Nos. 2, 3, 4, 8, 12, 20, 30, 47, 55, 70, 87, 90, 115, 123, 302, 344 and 379, or by any other price schedule or price regulation making applicable by reference the provisions of Supplementary Order No. 5, is merged and continued in the license granted by Licensing Order No. 1.

(a) *Registration of licensees.* The requirement of Supplementary Order No. 5 that every dealer selling to a consumer (and in the case of iron and steel scrap, to a consumer or his broker) any waste, scrap or salvage material for which maximum prices are established by price schedules and price regulations Nos. 2, 3, 4, 8, 12, 20, 30, 47, 55, 70, 87, 90, 115, 123, 302, 344 and 379, or by any other applicable price schedule or regulation register with the Office of Price Administration on or before June 20, 1942, or within five days after a dealer became subject to Supplementary Order No. 5, is hereby continued. Dealers becoming subject to this order after said date, by reason of commencing to sell any of said materials for the first time, or by reason of making sales of a material for which a maximum price is established by some other price schedule or price regulation which shall, in the future, make applicable the provisions of this order, shall register within 5 days after becoming subject hereto. Registration shall be accomplished by filing with the Office of Price Administration a registration statement on OPA Form No. SO5:1 obtainable at the Washington, D. C., office or at any regional or district office of the Office of Price Administration. Every licensee owning, operating, or maintaining more than one place of business shall file a separate registration statement for each place of business. In case a new, addi-

tional or different place of business is later established or acquired by a dealer now or hereafter subject to the provisions of this Licensing Order No. 2, such dealer shall within five days after establishing or acquiring it, file a registration statement with respect to such new, additional or different place of business.

(b) The Office of Price Administration will issue to each dealer registering pursuant to paragraph (a) of this section, and for each place of business so registered, a registration certificate upon completion of registration.

(c) All registrations made under Supplementary Order No. 5 are hereby continued as registrations under this Licensing Order No. 2 and no dealer who has heretofore registered properly need register again.

§ 1305.100 *Definitions.* When used in this Licensing Order No. 2 the term:

(a) "Dealer" means an individual, corporation, partnership, association, or any other organized group of persons, or the legal successor or representative of any of the foregoing, whose business includes the acquisition of any material for the purpose of sale as waste, scrap or salvage material.

(b) "Consumer" has the meaning and definition, when applied to a particular waste, scrap or salvage material, which is given it by the price schedule or the price regulation fixing a maximum price for such material.

(c) "Price schedule" and "price regulation" mean a price schedule effective in accordance with the provisions of section 206, or a maximum price regulation issued under section 2, of the Emergency Price Control Act of 1942, issued by the Office of Price Administration, or any amendment or supplement to such a maximum price regulation or price schedule, or any regulation, order or requirement issued pursuant to any such regulation or schedule.

(d) "Act" means the Emergency Price Control Act of 1942.

*Effective date.* This Licensing Order No. 2 shall become effective 12:01 A. M. October 1, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of September 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-15741; Filed, September 28, 1943; 9:27 a. m.]

#### PART 1305—ADMINISTRATION [Licensing Order 3]

##### REQUIRING REGISTRATION OF DEALERS LICENSED TO SELL SECOND-HAND MACHINE TOOLS OR EXTRAS, SECOND-HAND MACHINES OR PARTS, ETC.

Pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, including section 205 (f) (1) thereof, *It is hereby ordered:*

§ 1305.103 *Effect of Licensing Order No. 1.* Licensing Order No. 1 licenses all persons who make sales under price control. A license granted by the Office of Price Administration prior to the effective date of Licensing Order No. 1 is merged and continued in the license granted by Licensing Order No. 1. Therefore, the license granted by Supplementary Order No. 20 to every dealer selling to any person any second-hand machine tools or extras for which maximum prices are established by Maximum Price Regulation No. 1, or second-hand machines or parts for which maximum prices are established by Maximum Price Regulation No. 136, as amended, or used industrial sewing machines for which maximum prices are established by Maximum Price Regulation No. 375, or commodities and services for which maximum prices are established by any other price schedule or price regulation making applicable by reference the provisions of Supplementary Order No. 20, is merged and continued in the license granted by Licensing Order No. 1.

(a) *Registration of licensees.* The requirement of Supplementary Order 20 that every dealer selling to any person any second-hand machine tools or extras for which maximum prices are established by Maximum Price Regulation No. 1, or second-hand machines or parts for which maximum prices are established by Maximum Price Regulation No. 136, as amended, or used industrial sewing machines for which maximum prices are established by Maximum Price Regulation No. 375, or commodities and services for which maximum prices are established by any other applicable price schedule or regulation register with the Office of Price Administration on or before November 2, 1942, or within five days after a dealer became subject to Supplementary Order No. 20, is hereby continued. Dealers becoming subject to this order after said date, by reason of commencing to sell any of said commodities for the first time, or by reason of making sales of a commodity for which a maximum price is established by some other price schedule or price regulation which shall, in the future, make applicable the provisions of this order, shall register within 5 days after becoming subject hereto. Registration shall be accomplished by filing with the Office of Price Administration a registration statement on OPA Form No. S020:3 obtainable at the Washington, D. C. Office, or at any regional or district office of the Office of Price Administration. Every licensee owning, operating, or maintaining more than one place of business shall file a separate registration statement for each place of business. In case a new, additional or different place of business is later established or acquired by a dealer now or hereafter subject to the provisions of this Licensing Order No. 3, such dealer shall within five days after establishing or acquiring it, file a registration statement with respect to such new, additional or different place of business.

(b) The Office of Price Administration will issue to each dealer registering pursuant to paragraph (a) of this section, and for each place of business so registered, a registration certificate upon completion of registration, which certificate shall be posted at all times after its receipt in a conspicuous place in the licensee's place of business.

(c) All registrations made under Supplementary Order No. 20 are hereby continued as registration under this Licensing Order No. 3 and no dealer who has heretofore registered properly need register again.

§ 1305.104 *Exclusions.* Licensing Order No. 3 shall not apply to any sale at retail.

§ 1305.105 *Definitions.* When used in this Licensing Order No. 3 the term:

(a) "Dealer" means an individual, corporation, partnership, association, or any other organized group of persons, or the legal successor or representative of any of the foregoing, engaged in the business, as a principal, of purchasing for resale second-hand machine tools or extras, or second-hand machines or parts, or used industrial sewing machines, or engaged in the business, as an agent or broker, of selling or negotiating the sale of second-hand machine tools or extras, or second-hand machines or parts, or used industrial sewing machines. Purchasing for resale includes the purchase of any second-hand machine tools or extras, or second-hand machines or parts, or used industrial sewing machines, for resale after repair or rebuilding.

(b) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(c) "Sale at retail" means any sale to an ultimate user other than an industrial, commercial or governmental user, or any sale made at a store or shop where such sales are customarily made.

(d) "Price schedule" and "price regulation" mean a price schedule effective in accordance with the provisions of section 206, or a maximum price regulation issued under section 2, of the Emergency Price Control Act of 1942, issued by the Office of Price Administration, or any amendment or supplement to such a maximum price, regulation or price schedule, or any regulation, order or requirement issued pursuant to any such regulation or schedule.

(e) "Act" means the Emergency Price Control Act of 1942.

(f) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

*Effective date.* This Licensing Order No. 3 shall become effective 12:01 A. M. October 1, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of September 1943.

PRENTISS M. BROWN,  
*Administrator.*

[F. R. Doc. 43-15742; Filed, September 28, 1943; 9:27 a. m.]

#### PART 1305—ADMINISTRATION

[Supp. Order 5, Amdt. 4]

##### WASTE AND SCRAP DEALERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 1305.7 (h) is added to read as follows:

(h) *Termination date.* This Supplementary Order No. 5 shall become inoperative from and after the time that Licensing Order Nos. 1 and 2 go into effect, on October 1, 1943, at 12:01 a. m. Every license heretofore granted by the Office of Price Administration pursuant to Supplementary Order No. 5 is merged and continued in the license granted by Licensing Order No. 1. Licensing Order No. 2 requires the registration of licensees who were required to register under Supplementary Order No. 5, except that persons already registered need not re-register.

This amendment shall become effective 12:01 a. m. October 1, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of September 1943.

PRENTISS M. BROWN,  
*Administrator.*

[F. R. Doc. 43-15737; Filed, September 28, 1943; 9:28 a. m.]

#### PART 1305—ADMINISTRATION

[Supp. Order 11, Amdt. 2]

##### CHEMICAL AND DRUG DISTRIBUTORS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 1305.15 (k) is added to read as follows:

(k) *Termination date.* This Supplementary Order No. 11 shall become inoperative from and after the time that Licensing Order No. 1 goes into effect, on October 1, 1943 at 12:01 a. m. Every license heretofore granted by the Office of Price Administration pursuant to Supplementary Order No. 11 is merged and continued in the license granted by Licensing Order No. 1.

\*Copies may be obtained from the Office of Price Administration.

This amendment shall become effective 12:01 a. m., October 1, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.)

Issued this 27th day of September 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-15728; Filed, September 28, 1943; 9:33 a. m.]

#### PART 1305—ADMINISTRATION

[Supp. Order 14, Amdt. 2]

##### MEAT AND MEAT PRODUCTS SELLERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 1305.18 (k) is added to read as follows:

(k) *Termination date.* This Supplementary Order No. 14 shall become inoperative from and after the time that Licensing Order No. 1 goes into effect, on October 1, 1943 at 12:01 a. m. Every license heretofore granted by the Office of Price Administration pursuant to Supplementary Order No. 14 is merged and continued in the license granted by Licensing Order No. 1.

This amendment shall become effective 12:01 a. m., October 1, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of September 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-15729; Filed, September 28, 1943; 9:34 a. m.]

#### PART 1305—ADMINISTRATION

[Supp. Order 17, Amdt. 2]

##### IRON AND STEEL PRODUCTS SELLERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 1305.21 (j) is added to read as follows:

(j) *Termination date.* This Supplementary Order No. 17 shall become inoperative from and after the time that Licensing Order No. 1 goes into effect, on October 1, 1943, at 12:01 a. m. Every license heretofore granted by the Office of Price Administration pursuant to Supplementary Order No. 17 is merged and continued in the license granted by Licensing Order No. 1.

This amendment shall become effective 12:01 a. m. October 1, 1943.

\*Copies may be obtained from the Office of Price Administration.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.)

Issued this 27th day of September 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-15730; Filed, September 28, 1943; 9:35 a. m.]

#### PART 1305—ADMINISTRATION

[Supp. Order 18, Amdt. 2]

##### LUMBER AND BUILDING MATERIALS DEALERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 1305.22 (j) is added to read as follows:

(j) *Termination date.* This Supplementary Order No. 18 shall become inoperative from and after the time that Licensing Order No. 1 goes into effect, on October 1, 1943, at 12:01 a. m. Every license heretofore granted by the Office of Price Administration pursuant to Supplementary Order No. 18 is merged and continued in the license granted by Licensing Order No. 1.

This amendment shall become effective 12:01 a. m. October 1, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of September 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-15731; Filed, September 28, 1943; 9:35 a. m.]

#### PART 1305—ADMINISTRATION

[Supp. Order 19, Amdt. 3]

##### PAPER PRODUCTS DISTRIBUTORS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 1305.23 (k) is added to read as follows:

(k) *Termination date.* This Supplementary Order No. 19 shall become inoperative from and after the time that Licensing Order No. 1 goes into effect, on October 1, 1943 at 12:01 a. m. Every license heretofore granted by the Office of Price Administration pursuant to Supplementary Order No. 19 is merged and continued in the license granted by Licensing Order No. 1.

This amendment shall become effective 12:01 a. m. October 1, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of September 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-15732; Filed, September 28, 1943; 9:35 a. m.]

#### PART 1305—ADMINISTRATION

[Supp. Order 20, Amdt. 2]

##### SECOND-HAND MACHINE TOOLS DEALERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 1305.24 (k) is added to read as follows:

(k) *Termination date.* This Supplementary Order No. 20 shall become inoperative from and after the time that Licensing Order Nos. 1 and 3 go into effect, on October 1, 1943, at 12:01 a. m. Every license heretofore granted by the Office of Price Administration pursuant to Supplementary Order No. 20 is merged and continued in the license granted by Licensing Order No. 1. Licensing Order No. 3 requires the registration of licensees who were required to register under Supplementary Order No. 20, except that persons already registered need not re-register.

This amendment shall become effective 12:01 a. m. October 1, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of September 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-15733; Filed, September 28, 1943; 9:23 a. m.]

#### PART 1305—ADMINISTRATION

[Supp. Order 36, Amdt. 1]

##### YARN AND TEXTILE SELLERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 1305.42 (i) is added to read as follows:

(i) *Termination date.* This Supplementary Order No. 36 shall become inoperative from and after the time that Licensing Order No. 1 goes into effect, on October 1, 1943 at 12:01 a. m. Every license heretofore granted by the Office of Price Administration pursuant to Supplementary Order No. 36 is merged and continued in the license granted by Licensing Order No. 1.

This amendment shall become effective 12:01 a. m. October 1, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of September 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-15733; Filed, September 28, 1943; 9:33 a. m.]

#### PART 1305—ADMINISTRATION

[Supp. Order 39, Amdt. 3]

##### CONTAINER SELLERS

A statement of the considerations involved in the issuance of this amendment,

issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 1305.52 (g) is added to read as follows:

(g) *Termination date.* This Supplementary Order No. 39 shall become inoperative from and after the time that Licensing Order No. 1 goes into effect, on October 1, 1943, at 12:01 a. m. Every license heretofore granted by the Office of Price Administration pursuant to Supplementary Order No. 39 is merged and continued in the license granted by Licensing Order No. 1.

This amendment shall become effective 12:01 a. m. October 1, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.)

Issued this 27th day of September 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-15734; Filed, September 28, 1943; 9:35 a. m.]

#### PART 1305—ADMINISTRATION

[Supp. Order 72]

#### ADDING, SUBSTITUTING AND REMOVING LICENSING PROVISIONS IN CERTAIN PRICE SCHEDULES AND REGULATIONS

A statement of the considerations involved in the issuance of this Supplementary Order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, including sections 201 (d) and 205 (f) (1) thereof, *It is hereby ordered, That:*

§ 1305.98 *Applicability of Licensing Order No. 1.* (a) The following licensing provision is added to the price schedules or regulations listed in Group I of this order:

*Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(b) The licensing provision in paragraph (a) is substituted for the licensing and registration provisions in the price schedules or regulations listed in Group II of this order.

(c) The licensing and registration provisions of the price schedules or regulations listed in Group III of this order are hereby removed.

\*Copies may be obtained from the Office of Price Administration.

(d) The licensing provision in paragraph (a) is added to all price schedules and regulations heretofore issued by the Office of Price Administration which are not listed in Group I and Group II of this order, and to each price regulation hereafter issued by the Office of Price Administration, unless such price regulation specifically provides otherwise.

#### GROUP I

Price schedules and regulations which add the licensing provision set forth in paragraph (a) of this order, and the applicable sections are as follows:

Section:	Schedule or Regulation No.
1306.6a	6
1307.7a	7
1306.55a	10
1316.9a	11
1309.56a	15
1334.4a	16
1333.6a	17
1339.7a	18
1337.10a	23
1342.6a	24
1412.258a	28
1345.5a	29
1347.57a	32
1307.60a	33
1316.57a	35
1400.159a	39
1306.107a	41
1312.155a	44
1346.57a	45
1306.155a	49
1351.5a	50
1351.58a	51
1351.108a	52
1.14	53
1315.57a	56
1352.9a	57
1410.55a	58
1353.7a	59
1334.57a	60
1314.59a	61
1358.6a	62
1356.9a	64
1301.56a	67
1335.506a	68
1355.5a	69
1357.5a	71
13a	74
1362.6a	75
1335.705a	76
1345.56a	77
1303.55a	81
1349.11a	82
1336.58a	83
1336.107a	84
1380.7a	86
1316.107a	89
1351.258a	91
1348.5a	93
1401.10a	95
1380.56a	102
1410.5a	106
1340.196a	112
1369.8a	113
1338.66a	115
1362.58a	116
1400.113a	118
1315.1457a	119
1340.206a	120
1340.246a	121
1340.264a	122
1303.356a	124
1395.14a	125
15a	126
1400.79a	127
1400.29a	128
1347.19a	129
1315.1306a	131
1315.66a	132
1399.11a	134
13a	138

Section:	Schedule or Regulation No.
8a	139
1314.107a	141
1372.6a	142
1372.60a	144
1314.159a	145
1368.6a	147
11a	150
1330.172a	151
1341.27a	152
1393.5a	154
1378.7a	157
1381.162a	161
1303.206a	166
1337.38a	167
1337.57a	168
1389.57a	172
23	173
1390.56a	174
1408.6a	175
1384.6a	176
9a	180
1364.107a	181
1341.107a	185
1377.107a	186
1347.408a	187
1499.162a	188
1340.306a	189
1420.6a	193
1384.64a	199
1387.6a	198
1355.109a	199
1309.159a	202
19a	204
1362.106a	206
1341.207a	207
1364.207a	209
1372.109a	210
1421.7a	214
1384.106a	217
1389.311a	221
1341.308a	220
1341.357a	227
1358.58a	228
1315.1710a	229
1424.9a	231
1341.458a	232
1341.422a	233
1350.61a	234
1421.57a	235
1421.109a	241
1341.506a	242
1351.907a	243
1421.159a	244
1361.62a	246
1405.60a	248
1351.760a	249
1351.861a	250
1364.309a	252
1379.11a	254
1351.708a	255
1351.207a	256
6a	257
1405.109a	258
1351.964a	262
1364.557a	265
1429.6a	269
1351.1211a	270
17a	271
1389.260a	273
1338.110a	274
1351.1312a	275
1346.306a	276
1364.607a	277
12a	279
1351.813a	280
1396.259a	282
1358.156a	283
1351.1259a	285
1364.805a	286
1351.1507a	289
1351.1359a	291
1370.82a	294
1351.1657a	296
1372.161a	298
1364.657a	299
1315.1766a	300
1364.858a	303



Section:	Schedule or Regulation No.	Section:	Schedule or Regulation No.	Section:	Schedule or Regulation No.
1351.1771a	305	15a	456	1439.111	165
1341.571a	306	6a	457	1364.403	169
1358.206a	308	10a	459	1412.9	170
1437.10a	309	9a	459	8 (b)	171
1364.757a	311	10a	460	1363.113	177
1351.1606a	312	7a	461	1363.163a	178
1382.260a	313	16a	462	1385.8a	179
1427.57a	314	8a	463	1341.61	181
9a	315	13a	(1)	1347.303a	182
1438.59a	316	* Second Revised Maximum Export Price Regulation.			183
1433.11a	318	GROUP II			191
1351.1917a	319	Licensing and registration provisions are removed, and the licensing provision set forth in paragraph (a) of this order is substituted in the following price schedules and regulations at the sections or paragraphs designated:			192
16a	322	Section:			193
1340.371a	323	Schedule or Regulation No.			195
1337.131a	325	12	1	1377.164a	197
1440.7a	326	8 (b)	2	1341.163	200
1438.11a	327	1303.8 (c)	3	1315.1420	201
1364.908a	328	1304.8a	4	1418.103	203
1389.556a	330	1303.6 (c)	8	1396.203	205
1439.215a	331	1314.8a	9	1367.58	206
1389.512a	332	1309.15 (c)	12	1369.211	207
1429.56a	333	1413.11 (d)	13	1499.552	211
21a	335	18	19	1365.63	213
1364.1108a	337	1309.67 (c)	20	23	215
3a	339	1335.56a	21	1426.9	216
1377.260a	342	21	20	1426.63 (d)	218
9a	343	1347.7	30	20	219
15a	347	1325.206a	31	1315.1561a	220
10a	348	1335.56a	34	16	222
1306.509a	350	1412.58	36	1382.157	223
1390.217a	351	1412.108	37	1346.111	224
8a	356	8 (b)	38	1347.469	225
5a	358	1346.5a	40	1306.452	230
6a	361	1335.456a	42	1346.166	236
8a	362	1306.208	43	10	237
8a	363	4	46	11	238
9a	364	1347.107	47	1364.157	239
9a	366	1330.56 (c)	55	1367.107	240
7a	369	1315.106a	63	1415.103	245
16a	370	1352.58a	65	1364.261	247
10a	371	1315.1210	66	1397.65	251
9a	376	1355.59 (c)	70	1381.410	253
27a	377	1363.13	73	1420.53	259
25a	378	1335.55a	78	1363.110	260
1.8a	382	8 (b)	79	1346.211	261
9a	384	1335.655a	80	1392.64	263
11	386	1360.57a	85	1415.59	264
6a	387	1315.1252	87	1347.503	266
6a	388	1340.155a	88	1423.7	267
9a	391	1337.106 (b)	90	9	268
9a	396	1381.510 (d)	94	1346.261	272
11a	397	1230.106a	99	1398.303	278
9a	401	1392.109 (d)	97	1382.263 (d)	281
3a	404	1335.755a	98	14 (c)	284
15a	405	1306.305a	100	20	287
16a	406	1315.1356a	107	1418.353 (c)	288
13a	407	1367.25 (c)	103	1381.463 (d)	290
15a	409	1312.356 (d)	109	1351.1403	292
6a	410	1380.107a	110	1413.61 (d)	293
14a	414	1370.9a	111	1412.158	295
9a	415	1347.227a	114	1423.8	297
2.4	416	1377.16a	117	1315.1791	301
16a	417	1410.76 (c)	123	1427.12 (c)	302
15a	418	1347.279	130	12 (a)	304
8a	419	1361.7a	133	1347.610a	307
9a	425	1367.39 (c)	135	1306.558	310
9a	426	1390.28a	136	1346.263	317
11a	427	1340.28a	137	1377.213a	320
12a	428	1347.157a	140	1350.103	321
18a	430	1315.1516	143	14	324
10a	432	1382.6a	140	1364.1057	334
6a	433	1364.30	148	8	336
6a	437	1315.32a	149	10 (c)	338
9a	440	1382.56a	155	8	340
6a	441	1378.57	156	16	341
19a	442	1391.61	163	1347.733	344
17a	443	1306.367a	169	1436.8	345
19a	444	25	163	23	346
7.8a	445	1410.112	163	12	349
8a	446	1381.6a	164	6	352
8a	447			1396.55 (b)	353
8a	448			1335.1035 (b)	354
9a	449			10	355
9a	450			11	357
9a	451			1347.561	359
20a	452			7	360
12	454			10	365
10a	455				

Section:	Schedule or Regulation No.
11	367
20	368
15	372
11 (c)	373
15	374
1390.162a	375
11 (b)	379
12	380
9 (c)	381
9 (a)	383
12	385
8	389
7	390
10	392
20	393
10	394
11	395
9	398
12	399
19	400
19	402
17	403
15	408
9	411
19	412
13	413
6	420
10	421
13	422
14	423
14	424
12 (b)	429
8 (b)	431
13	434
13	435
6	436
12	438
14	439
15	453
1499.16	(1)
16	(2)
20	(3)
16	(4)

<sup>1</sup> General Maximum Price Regulation.

<sup>2</sup> General Maximum Price Regulation for Hawaii.

<sup>3</sup> Maximum Import Price Regulation.

<sup>4</sup> Restaurant Maximum Price Regulation No. 1.

### GROUP III

Sections, paragraphs, subparagraphs or the indicated portions thereof, containing licensing and registration provisions, of the following price schedules and regulations are hereby removed:

Section:	Schedule or Regulation No.
1401.7 (d)	95
1340.261 (a), first sentence thereof, and the word "other" in second sentence thereof	122
1372.3 (c), the phrase "... sections 1499.15 and 1499.16 relating to registration and licensing, ..."	142
1315.1507, the phrase "Except as provided in section 1315.1515"	143
1372.55 (b)	144
1315.32, the phrase "Except as provided in Section 1315.22a"	149
1393.7 (7)	154
1393.7 (8)	154
1378.58, the phrase "Except as provided in section 1378.57"	156
1499.112	165
1389.158 (c)	178
1420.8, last sentence thereof	193
1418.59	194
1341.168 (a), the phrase "Section 1341.163 and"	197
1315.1421 and 1315.1422, the phrase "Except as provided in section 1315.1416"	200
1418.109	201

Section:	Schedule or Regulation No.
1372.106 (c)	210
1426.10	216
1347.467	225
1315.1707 (b)	229
1350.58 (b)	234
1361.65 (a)	246
1364.265, the phrase "Section 1364.261 and"	247
1351.758 (f)	249
1351.758 (g)	249
1351.859 (g)	250
1351.859 (h)	250
1397.66	251
1351.710 (b) (6)	255
1351.710 (b) (7)	255
1351.209 (b) (9)	256
1351.209 (b) (10)	256
1420.53 (b) (7)	259
1429.9 (a) (3)	269
1429.9 (a) (4)	269
1351.1213 (b) (3)	270
18, last undesignated paragraph thereof	271
1338.107 (d)	274
1351.817 (b) (5)	280
1351.817 (b) (6)	280
1351.1257 (b)	285
1351.1511 (2)	289
1351.1511 (3)	289
1851.1365 (a) (2)	291
1351.1365 (a) (3)	291
1370.80 (b)	294
1315.1792, the phrase "Except as provided in Section 1315.1791"	301
12 (b)	304
1351.1608 (b) (2)	312
1f (4)	315
1f (5)	315
1433.11 (d)	318
1340.371 (d)	323
1440.11 (a), the phrase "Except as provided in paragraph (b) of this section"	326
1440.11 (b)	326
1389.559 (a) (6)	330
1389.506 (a) (8)	332
1429.58 (b)	333
1429.58 (c)	333
8 (b) (6)	335
8 (b) (7)	335
9 (a) (3)	339
1335.1002 (b) (3)	354
1335.1002 (b) (4)	354
12, the phrase "except that the registration and licensing provisions of sections 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every wholesaler subject to this regulation"	362
3 (c) (3) (v)	386
3 (c) (3) (vi)	386
4 (e)	392
4 (f)	392
4 (e)	393
4 (f)	393
2, the phrase "Except as provided in Section 17"	403
3 (e) (5)	404
3 (e) (6)	404
10 (b)	426
14 (a) (3)	427
14 (a) (4)	427
3 (d), the phrase "and 13"	435
7.6 (b)	445
1499.15	(1)
15	(1)

<sup>1</sup> General Maximum Price Regulation.

<sup>2</sup> General Maximum Price Regulation for Hawaii.

**Effective date.** This Supplementary Order No. 72 shall become effective 12:01 A. M. October 1, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of September 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-15740; Filed, September 28, 1943; 9:30 a. m.]

### PART 1312—LUMBER AND LUMBER PRODUCTS

[RPS 44, Amdt. 2]

#### DOUGLAS FIR DOORS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Revised Price Schedule No. 44 is amended in the following respects:

1. Paragraph (a) of § 1312.159, Appendix A: *Maximum prices for Douglas fir doors* is amended to read as follows:

(a) The maximum prices f. o. b. factory shall be determined by applying the following discounts to the list prices set forth in paragraph (b):

Basic discount:

To persons who during the first nine months of 1941 received the seller's prevailing maximum discount..... 69½ %  
To all other persons..... 67½ %  
No. 1 Doors "A" grade..... basic discount  
No. 2 Doors "B" grade..... 1 point

longer than basic discount  
No. 3 Doors "C" grade..... 2 points  
longer than basic discount  
Millrun 1½" only..... 1 point

longer than basic discount  
Storm Doors..... 1 point

longer than basic discount  
Cupboard Doors (B & Btr. only)..... 1 point

longer than basic discount  
"A" grade Sidelights..... basic discount

Rim and French Doors ("A" and "B" grades only)..... 5 points  
longer than basic discount

When cash is paid within 5 days of delivery, the maximum price is the price herein set forth less 2%. All prices are for mixed carload quantities.

2. Sections 1312.160 and 1312.161 are added to read as follows:

§ 1312.160 *Addition for sales by jobbers.* On sales of fir doors covered by this regulation, jobbers may add to their selling price as established by the General Maximum Price Regulation for a particular door, the amount (dollars-and-cents) by which their current net cost of the door exceeds their August 1, 1943 net cost of the same door.

§ 1312.161 *Addition for retail sales.* On retail sales of fir doors covered by this regulation, the seller may add to his selling price as established by the General Maximum Price Regulation for a particular door, the amount (dollars-and-cents) by which his current net cost

\* Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 7 F.R. 1288, 7963.

of the door exceeds his August 1, 1943 net cost of the same door.

This amendment shall become effective October 2, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of September 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-15749; Filed, September 28, 1943; 9:28 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A, Amdt. 50]

TIRES, TUBES, RECAPPING, AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Ration Order No. 1A is amended in the following respects:

1. Section 1315.201 (a) (45) is added to read as follows:

(45) "Automobile dealer" means a person regularly engaged in the business of selling passenger automobiles.

2. The text of § 1315.502 is amended by deleting the phrase "an applicant for" and inserting in lieu thereof, the phrase "a consumer who applies for".

3. The text of § 1315.503 (a) is amended to read as follows:

When a consumer makes application for a tire or tube for a passenger automobile, the Board shall reconsider his gasoline ration before passing upon the application. Such reconsideration shall be made as follows:

4. Section 1315.516 is added to read as follows:

§ 1315.516 *Eligibility of passenger automobile held for resale by automobile dealer*—(a) *Tires or new tubes for which eligibility may be established.* An automobile dealer may apply for a certificate for a Grade III tire or a new tube to be mounted on a passenger automobile which he holds for sale if the tire or new tube is:

(1) To equip a passenger automobile which for reasons satisfactory to the Board does not already have the number of tires or tubes permitted for such automobile by the Office of Price Administration; or

(2) To replace on such passenger automobile a tube which cannot be repaired or a tire which cannot be repaired or recapped.

(b) *Spare tire.* A Board shall not issue a certificate for a Grade III tire pursuant to this section if the passenger automobile for which application is made is equipped with tires serviceable for use on the running wheels and a tire which, regardless of its condition, can

be used or repaired for use as any emergency spare tire.

5. Section 1315.602 (j) is added to read as follows:

(j) *Grade III tires or new tubes for automobile dealer.* Application by an automobile dealer for a tire or new tube under § 1315.516 shall be filed on OPA Form R-1 (Revised) with the Board serving the area in which his establishment is located.

6. Section 1315.603 (a) is amended by inserting after the word "consumer" the words "or automobile dealer".

7. Section 1315.801 is amended to read as follows:

§ 1315.801 *Prohibitions*—(a) *General prohibition.* Notwithstanding the terms of any contract, agreement or other obligation, regardless of when made, no person, unless permitted by Ration Order No. 1A, or by an order, authorization or regulation issued by the War Production Board, shall:

(1) Make or offer to make, accept or offer to accept, or solicit a transfer of any tire, new tube or camelback; or

(2) Use, alter, or change the physical location of any tire, new tube or camelback; or

(3) Mount any tire or new tube upon a wheel or rim.

(b) *Removal of tires by automobile dealer.* No automobile dealer shall remove a tire or new tube mounted on a passenger automobile which he holds for sale, except for repair or recapping or unless it is being removed as part of the process of scrapping the passenger automobile or pursuant to a certificate issued under § 1315.516 or an authorization granted under § 1315.802 (a) (4). A tire or a new tube which has been removed for repair or recapping must be remounted on the passenger automobile from which it was removed.

8. Section 1315.804 (e) (4) is added to read as follows:

(4) An authorization granted pursuant to this paragraph shall not act as a waiver of any suspension order issued against either the transferor or transferee nor as a condonation of any violations of this order committed by the transferor or transferee.

9. The second sentence of § 1315.804 (j) (1) is amended by inserting at the beginning thereof the phrase "on or before November 1, 1943," and deleting the phrase "within ninety (90) days of the date thereof" and the commas preceding and following it.

10. The third sentence of § 1315.804 (j) (2) is amended by deleting the phrase "within ninety (90) days of the date of the authorization for the subsequent transfer" and substituting therefor the phrase "on or before November 1, 1943."

11. Section 1315.804 (k) (5) is added to read as follows:

(5) An authorization granted pursuant to this paragraph shall not act as a waiver of any suspension order issued

against either the transferor or transferee nor as a condonation of any violations of this order committed by the transferor or transferee.

12. Section 1315.806 (g) (2) is amended to read as follows:

(2) A dealer receiving a tire, including a scrap tire, under this paragraph must attach to it a tag on which is stated the serial number of the tire, the date upon which it was turned in, the name of the certificate holder who turned it in and the serial number of the certificate. An automobile dealer who removes a Grade III tire from his stock pursuant to a certificate issued for replacement of a tire or a scrap tire mounted on a passenger automobile which he holds for sale shall attach to the replaced tire or scrap tire a tag on which is stated the serial number of the tire, the date of its replacement and the serial number of the certificate under which it was replaced. The dealer or automobile dealer must hold such tire for at least thirty (30) days unless instructed to hold it for a longer or shorter period by an Office of Price Administration representative authorized to give such instructions. All tires held under this paragraph must be segregated from any other tires and kept readily available for inspection.

The provisions of this subparagraph shall not apply to tires leased under a mileage contract.

This amendment shall become effective October 1, 1943.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 27th day of September 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-15722; Filed, September 28, 1943; 9:22 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 140, Amdt. 5]

SANITARY NAPKINS AND TAMPONS

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation No. 140 (Sanitary Napkins) is amended in the following respects:

1. The title of this Maximum Price Regulation No. 140 is amended to read as follows: "Sanitary Napkins and Tampons."

\* 7 F.R. 3410, 5563, 7178, 8236.

\* Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 7 F.R. 9160, 9392, 9724.

2. In the preamble and in §§ 1347.153, 1347.155, 1347.159 (a) (3) (4) (5) and (6), the words "sanitary napkins" are amended to read as follows: "Sanitary napkins and/or tampons."

3. Section 1347.151 is amended to read as follows:

§ 1347.151 *Maximum prices for sanitary napkins and tampons.* On and after October 27, 1943, regardless of any contract, agreement, lease, or other obligation, no person shall sell or deliver sanitary napkins and/or tampons and no person shall buy or receive sanitary napkins and/or tampons in the course of trade or business, at prices higher than the maximum prices set forth in Appendices A and B of § 1347.161 and no person shall agree, whether on condition that this Maximum Price Regulation No. 140 is thereafter amended or is thereafter determined by any court to be invalid, or on any other condition, to do any of the foregoing; and no person shall offer, solicit or attempt to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of sanitary napkins and/or tampons to a purchaser, if prior to October 27, 1943, these commodities had been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser. The maximum prices established by this Maximum Price Regulation No. 140 shall not be increased by any charges for the extension of credit, except in the case of sales at retail where the seller during March 1942 required payment of a separately stated additional charge for the extension of credit to retail purchasers of the same class on sales of the same or similar types of commodities. If the seller had such a practice for the extension of credit, the amount of such separately stated additional charge shall not exceed the rate which the retailer charged during March 1942 for extension of such credit.

4. Section 1347.152 is amended to read as follows:

§ 1347.152 *Less than maximum prices.* Lower prices than those set forth in Appendices A and B of § 1347.161 may be charged, demanded, paid or offered.

5. Section 1347.156 is amended to read as follows:

§ 1347.156 *Records and reports.* (a) Every person making purchases or sales of sanitary napkins and/or tampons after October 26, 1943, excluding retailers and persons who purchase from retailers, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each such purchase or sale showing the date thereof, the name and the address of the buyer or seller, the price paid or received, and the number of sanitary napkins and/or tampons in each package purchased or sold. He shall also preserve all records kept in accordance with Maximum Price Regulation No. 140 prior to October 27, 1943.

(b) Such persons shall submit such reports to the Office of Price Administration and shall keep such other records in addition to or in place of the records required in paragraph (a) of this section as the Office of Price Administration may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(c) Within 21 days after October 26, 1943, every manufacturer of tampons shall file with the Office of Price Administration, Washington, D. C., a statement of all discounts, allowances, free goods, and other price differentials in effect during the period June 1-15, 1943, inclusive, for sales of tampons between manufacturer, wholesaler and retailer; and copies of tampon price lists in effect during October 1-15, 1941, inclusive and June 1-15, 1943, inclusive.

6. Section 1347.157a is amended to read as follows:

§ 1347.157a *Licensing.* (a) The provisions of Supplementary Order No. 19<sup>a</sup> licensing distributors of paper and paper products are applicable to every distributor selling sanitary napkins and/or tampons for which maximum prices are established by Appendices A and B of § 1347.161. The term "distributor" shall have the meaning given to it by Supplementary Order No. 19.

(b) The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation<sup>3</sup> are applicable to every person selling at retail sanitary napkins and/or tampons for which maximum prices are established by Appendices A and B of § 1347.161. The term "selling at retail" shall have the meaning given to it by § 1499.20 (c) of the General Maximum Price Regulation.

7. Section 1347.159 is amended by adding the following:

(7) "Tampons" are specially constructed wads of cotton and/or cellulose, non-medicated, with or without applicator, designed for internal menstrual sanitary protection.

(8) "Price list" means a published list of prices from which prices may be determined. Such price list must have been published or circulated and in effect during the applicable specified periods.

8. Section 1347.161 is amended to read as follows:

#### § 1347.161 *Appendices.*

##### APPENDIX A—MAXIMUM PRICES FOR SANITARY NAPKINS

Maximum delivered price per napkin for all packages:<sup>4</sup>

Count per package	Manufacturer's price to wholesalers <sup>1</sup>	Wholesaler's price	Retailer's price
1 to 7, inclusive.....	\$0.01300	\$0.01620	\$0.02125
8 to 11, inclusive.....	.01220	.01460	.01900
12.....	.01193	.01441	.01831
13 to 72, inclusive.....	.01160	.01320	.01670
73 and above.....	.01100	.01220	.01600

<sup>1</sup> Manufacturer's price to retailers shall not exceed the manufacturer's price to wholesalers by more than 6%.

EXAMPLE: The maximum prices of popular sized packages listed below are determined by multiplying the number of napkins per package by the appropriate per napkin figure in the "Retailer's Price" column of the above table.

Count per package	Maximum retailer's price per napkin	Maximum retailer's price per package
4.....	\$0.02125	\$0.09
5.....	.02125	.11
6.....	.02125	.13
8.....	.01900	.15
12.....	.01831	.22
18.....	.01670	.30
24.....	.01670	.40
48.....	.01670	.80
50.....	.01670	.81
54.....	.01670	.90
56.....	.01670	.91
60.....	.01670	1.00
66.....	.01670	1.10

##### APPENDIX B—MAXIMUM PRICES FOR TAMPONS<sup>5</sup>

(a) *Retailers' maximum price for tampons.* (1) The retailers' maximum price for Dale, Fibs, Holly, Pax, Meds, Tampax and Wix shall be as follows:

Brand	Count per box	Maximum price per box <sup>6</sup>	Maximum price per tampon
Dale (without applicator).....	1 to 10, inclusive.....	Box of 10 \$.20.....	\$.02
Fibs (without applicator).....	1 to 5, inclusive.....	Box of 5 .10.....	.02
	6 to 12, inclusive.....	Box of 12 .20 (2 for 39¢).....	.0160
	13 and over.....	Box of 34 .42.....	.0124
Fibs (with applicator).....	1 to 4, inclusive.....	Box of 4 .10.....	.025
	5 to 10, inclusive.....	Box of 10 .20 (2 for 39¢).....	.02
Holly Pax (without applicator).....	1 to 6, inclusive.....	Box of 6 .10.....	.0160
	7 to 12, inclusive.....	Box of 12 .20.....	.0160
	13 and over.....	Box of 48 .69.....	.0123
Meds (with applicator).....	1 to 4, inclusive.....	Box of 3 .03.....	.025
	5 to 10, inclusive.....	Box of 4 .10.....	.025
	11 and over.....	Box of 10 .20 (2 for 39¢).....	.02
		Box of 60 .82.....	.0163
		Box of 60 .93.....	.0163
Tampax (with applicator).....	1 to 5, inclusive.....	Box of 5 .20.....	.04
	6 to 10, inclusive.....	Box of 10 .29.....	.029
	11 and over.....	Box of 40 .93.....	.0215
Wix (without applicator).....	1 to 5, inclusive.....	Box of 5 .20.....	.04
	6 to 12, inclusive.....	Box of 12 .45.....	.0375

<sup>6</sup> This shall not be construed to prevent the changing of the count of any package, provided that the maximum price per tampon is no greater than set forth in Appendix B of this regulation.

<sup>3</sup> 7 F.R. 7434, 8996.

<sup>4</sup> 7 F.R. 3153, 6058, 6007, 6216, 6615, 6794, 6939; 8 F.R. 3096, 3849, 4347, 4978, 484, 6862, 8511, 9025, 9991, 1955.

<sup>5</sup> Sanitary Napkins sold by means of vending machines are not covered by this Maximum Price Regulation No. 140.

<sup>6</sup> Tampons sold by means of vending machines are not covered by this Maximum Price Regulation No. 140.

(2) The retailer's maximum prices for tampons, other than the brands for which prices are set forth in paragraph (a) (1) above, shall not exceed the suggested retail price for such brand of tampon as set forth in the price list of the respective manufacturers, in effect during the period October 1-15, 1941, inclusive.

(3) If a retailer cannot determine a maximum price for tampons under paragraphs (a) (1) or (a) (2) above, his maximum price shall not exceed the suggested retail price for such brand of tampons as approved by the Office of Price Administration, Washington, D. C. Such suggested retail price may be obtained by inquiry from the Office of Price Administration, Washington, D. C.

(b) *Wholesalers' maximum delivered price for tampons.* (1) The wholesaler's maximum delivered price for tampons shall not exceed the applicable maximum-retail price for the brand as set forth in paragraph (a) of this Appendix B less the discounts, allowances, free goods and all other price differentials in effect for sales from wholesaler to retailer during the period June 1-15, 1943, inclusive.

(2) If a wholesaler cannot determine a maximum price for tampons under paragraph (b) (1) above, his maximum price shall not exceed the suggested wholesale price for such brand of tampons as approved by the Office of Price Administration, Washington, D. C. Such suggested wholesale price may be obtained by inquiry from the Office of Price Administration, Washington, D. C.

(3) No wholesaler shall change his customary discounts, allowances, free goods, or other price differentials in effect during the period June 1-15, 1943, inclusive, unless such change results in a lower price.

(c) *Manufacturers' maximum delivered price for tampons.* (1) The manufacturer's maximum delivered price for tampons shall not exceed the applicable maximum retail price for the brand as set forth in paragraph (a) of this Appendix B less the discounts, allowances, free goods, and all other differentials in effect for sales from the manufacturer to wholesaler or from the manufacturer direct to retailer during the period June 1-15, 1943, inclusive.

(2) If a manufacturer cannot determine a maximum price for tampons under paragraph (c) (1) above, he shall file an application for approval of a maximum price with the Office of Price Administration, Washington, D. C. Such application shall set forth:

(i) A description of the commodity for which a maximum price is sought.

(ii) The reason why such commodity cannot be priced under paragraph (c) (1) above.

(iii) The maximum prices proposed by the manufacturer together with a detailed explanation of the method by which the manufacturer calculated such price, as well as suggested wholesale and retail prices.

(iv) The reasons why the manufacturer believes the proposed price to be in line with the level of maximum prices established by this Appendix B. The manufacturer shall also submit such additional information as this Office may require.

(v) Unless the Office of Price Administration or a duly authorized representative thereof shall, by letter mailed to the applicant within 21 days from the filing of such application approve, disapprove, adjust, amend, or extend the time within which to do any of the foregoing, such application shall be deemed to have been approved, subject to non-retroactive written disapproval or adjustment at any later time by the Office of Price Administration.

This amendment shall become effective October 27, 1943.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 28, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of September 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-15743; Filed, September 28, 1943; 9:30 a. m.]

# PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[Rev. MPR 169, Amdt. 28]

## BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Revised Maximum Price Regulation No. 169 is amended in the following respects:

1. Section 1364.406 (d) is added to read as follows:

(d) A payment by a buyer to a broker of not to exceed \$0.125 per cwt. in excess of the maximum prices fixed by this regulation for services rendered by the broker to the buyer in connection with a sale of beef and veal carcasses and wholesale cuts, if the broker has no business affiliation with the seller and if the total compensation received by the broker from both buyer and seller in connection with the sale does not exceed \$0.125 per cwt.

2. Section 1364.452 (a) (1) is amended to read as follows:

(1) Zone 1 includes the following areas: Washington, Oregon, California, and Nevada. All that portion of Idaho north of and including the counties of Idaho, Boundary, Bonner, Kootenai, Benewah, Shoshone, Latah, Clearwater, Nez Perce and Lewis.

3. Section 1364.452 (b) (1) is amended to read as follows:

(1) Zone 2 includes the following areas: Montana, Wyoming, Utah, Arizona and all that portion of Idaho south of, but not including Idaho county.

4. The table contained in § 1364.452 (m) (2) is amended by the addition of a new column heading "Choice or AA" to appear below the designation "Grade" all to read as follows:

Price zone	Grade			
	Choice or AA	Good or A	Commercial or B	Utility or C
1.....	29.70	29.35	28.60	27.75
2.....	29.70	29.35	28.60	27.75
3.....	29.70	29.35	28.60	27.75
4.....	29.70	29.35	28.60	27.75
5.....	29.70	29.35	28.60	27.75
6.....	29.70	29.35	28.60	27.75
7.....	29.70	29.35	28.60	27.75
8.....	29.70	29.35	28.60	27.75
9.....	29.70	29.35	28.60	27.75
10.....	29.70	29.35	28.60	27.75

\* Copies may be obtained from the Office of Price Administration.

18 F.R. 4037, 4787, 4844, 5170, 5478, 5534, 6058, 6427, 7109, 6945, 7169, 7200, 8011, 8577, 8756, 9066, 9300, 8995, 10363, 10571, 11445.

5. Section 1364.452.(m) (3) is amended to read as follows:

(3) "Frozen boneless beef (Army specifications)" as used in this paragraph (m) means beef, frozen and boneless, derived from steers and heifers of the grades choice, good or commercial or utility and satisfying the specifications and requirements contained in "C. Q. D. No. 11 C—Specifications for Beef: Boneless, Frozen," issued May 11, 1942 by the Chicago Quartermaster Depot of the United States Army. Any frozen boneless beef which has been rejected by the purchasing agency of a war procurement agency shall not be sold as frozen boneless beef (Army specifications).<sup>24</sup>

6. The items listed in the table contained in § 1364.452 (o) (4) are amended by the addition of items XXXVI and XXXVII to read as follows:

	Grade			
	Choice or AA	Good or A	Commercial or B	Utility or C
XXXVI Boneless rump (butt) (corned) <sup>1</sup> .....	24.00	24.00	20.50	20.50
XXXVII Inside (top) round (corned) and outside (bottom) round (corned) <sup>1</sup> .....	24.75	24.75	27.00	27.00

7. The footnote contained below table contained in § 1364.452 (o) (4) is amended by addition of footnotes <sup>2</sup>/<sub>2</sub> to read as follows:

<sup>2</sup> The cured weight of boneless rump (butt) (corned) shall not exceed the green weight by more than 10 percent.

<sup>2</sup> The cured weight of inside (top) round (corned) and outside (bottom) round (corned) shall not exceed the green weight by more than 10 percent.

8. The items listed in the table contained in § 1364.452 (o) (5) are amended by the addition of items XXXVI and XXXVII to read as follows:

	Graded			
	Choice or AA	Good or A	Commercial or B	Utility or C
XXXVI Boneless rump (butt) (corned) <sup>1</sup> .....	22.00	22.00	18.75	18.75
XXXVII Inside (top) round (corned) and outside (bottom) round (corned) <sup>1</sup> .....	32.00	32.00	24.50	24.50

9. The footnote contained below table contained in § 1364.452 (o) (5) is amended by addition of footnotes 2 and 3 to read as follows:

<sup>2</sup> The cured weight of boneless rump (butt) (corned) should not exceed the green weight by more than 10 percent.

<sup>3</sup> The cured weight of inside (top) round (corned) and outside (bottom) round (corned) shall not exceed the green weight by more than 10 percent.

10. The items listed in § 1364.452 (o) (6) are amended by redesignating items XII to XIX, inclusive, to XV to XXII, inclusive.

11. The items listed in § 1364.452 (o) (6) are amended by the addition of items XII, XIII and XIV to read as follows:



(XII) Sliced dried beef packed in 5 lb. cartons-----	Per cwt. \$63.25
(XIII) Sliced dried beef packed in 3 lb. cartons-----	64.00
(XIV) Sliced dried beef packed in 1/4 lb. cellophane packages-----	65.75

## VII—SLICED DRIED BEEF

Zone	1 Packed in 5 lb cartons	2 Packed in 3 lb cartons	3 Packed in 1/4 lb cello- phane packages	4 Packed in 1 1/2 oz. glass jars price per dozen	5 Packed in 2 oz. glass jars price per dozen	6 Packed in 2 1/2 oz. glass jars price per dozen	7 Packed in 3 1/2 oz. glass jars price per dozen	8 Packed in 5 oz. glass jars price per dozen	9 Packed in 7 oz. glass jars price per dozen
1-----	56.75	57.50	60.75	1.14	1.42	1.71	2.37	3.06	4.13
2-----	56.00	56.75	60.00	1.11	1.38	1.66	2.32	2.98	4.04
3-----	55.00	55.75	59.00	1.07	1.33	1.61	2.25	2.83	3.92
4-----	55.00	55.75	59.00	1.07	1.33	1.61	2.25	2.83	3.92
5-----	55.50	56.25	59.50	1.09	1.35	1.64	2.28	2.93	3.93
6-----	55.75	56.50	59.75	1.10	1.37	1.65	2.30	2.96	4.01
7-----	56.00	56.75	60.00	1.11	1.38	1.66	2.32	2.98	4.04
8-----	56.25	57.00	60.25	1.12	1.39	1.68	2.34	3.00	4.07
9-----	56.50	57.25	60.50	1.13	1.41	1.69	2.36	3.03	4.10
10-----	56.75	57.50	60.75	1.14	1.42	1.71	2.37	3.06	4.13

13. Section 1364.454 (a) (1) is amended to read as follows:

(1) For transportation from the point at which the meat was slaughtered in Price Zone 3 or 4 to a distribution point located in either of those price zones, other than another slaughter, packing or processing plant owned or controlled by the same seller, the seller may add the actual cost of transportation computed at the lowest common carrier rate for the method of transportation used, but in no event more than 75 cents per hundredweight.

14. Section 1364.454 (a) (6) is amended to read as follows:

(6) Notwithstanding any of the provisions of paragraphs (a) (1) to (a) (5), inclusive, of this § 1364.454, nothing therein contained shall be construed to permit a total charge for transportation and/or local delivery from the point at which the meat was slaughtered to the place of business or receiving point of a retail seller, purveyor of meals, war procurement agency, other government agency or commercial user of more than 50¢ per cwt. in Price Zone 1, 2, 5, 6, 7, 8, 9, or 10, or \$1.00 per cwt. in Price Zone 3 or 4. The transportation and local delivery additions permitted in this paragraph (a) are on a hundredweight basis, and the charge for transportation and/or local delivery for any fraction of a hundredweight shall be reduced accordingly. The additions specified in this paragraph (a) for transportation and/or local delivery may be charged: *Provided*, That the seller shall itemize separately on an invoice to the buyer the amount charged the buyer for transportation and/or local delivery, except that if such separate statement of transportation charges is prohibited by local law, the seller shall maintain in his own record of the transaction a separate statement of any addition for transportation or local delivery which is included in the maximum price charged.

15. Section 1364.464 (a) (1) is amended to read as follows:

(1) For transportation from the point at which the calf or calves were slaughtered in Price Zone 4 to a distribution

12. The items listed below column heading VII designated "Sliced dried beef" in the table contained in § 1364.452 (p) (3) are amended by addition of items 4, 5, 6, 7, 8, and 9 all to read as set forth below:

point located in this price zone, other than another slaughter, packing or processing plant owned or controlled by the same seller, the seller may add the actual cost of transportation computed at the lowest common carrier rate for the method of transportation used, but in no event more than 75 cents per hundredweight.

16. Section 1364.469 (a) (6) is amended to read as follows:

(6) Notwithstanding any of the provisions of paragraphs (a) (1) to (a) (5), inclusive, of this § 1364.469, nothing therein contained shall be construed to permit a total charge for transportation and/or local delivery from the point at which the meat was slaughtered to the place of business or receiving point of a retail seller, purveyor of meals, war procurement agency, other government agency or commercial user of more than 50 cents per cwt. in Price Zone 1, 2, 3, 5, 6, 7, 8, 9, or 10, or \$1.00 per cwt. in Price Zone 4. The transportation and local delivery additions permitted in this paragraph (a) are on a hundredweight basis, and the charge for transportation and/or local delivery for any fraction of a hundredweight shall be reduced accordingly. The additions specified in this paragraph (a) for transportation and/or local delivery may be charged: *Provided*, That the seller shall itemize separately on an invoice to the buyer the amount charged the buyer for transportation and/or local delivery, except that if such separate statement of transportation charges is prohibited by local law, the seller shall maintain in his own record of the transaction a separate statement of any additions for transportation or local delivery which is included in the maximum price charged.

This amendment shall become effective October 2, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of September 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-15745; Filed, September 28, 1943; 9:36 a. m.]

## PART 1384—HARDWOOD LUMBER

[MPR 176, Amdt. 6]

## ROTARY CUT SOUTHERN HARDWOOD BOX LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 1384.7 of Maximum Price Regulation No. 176 is amended to read as follows:

§ 1384.7 *Petitions for amendment and applications for adjustment.* (a) Any person seeking an amendment of any provision of this Maximum Price Regulation No. 176 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

(b) In treating with petitions for amendment or adjustment, consideration will not be given to log and bolt costs which are higher than the applicable maximum purchase price for logs and bolts established in Maximum Price Regulations 313 (Prime Grade Hardwood Logs)<sup>2</sup> or 348 (Logs and Bolts),<sup>3</sup> or any revision or amendment of these regulations. This rule shall be followed regardless of whether the petitioner gets logs and bolts by purchasing them, logging his own standing timber, contracting for the logging of his own standing timber, or any other means. All petitions in any way based on the cost of logs or bolts must show the actual cost to the petitioner of logs and bolts received at his plant during the three months immediately prior to filing the petition, and the cost which would have been incurred by the petitioner if all of these logs and bolts had been purchased by him at ceiling prices. To figure these ceiling prices the petitioner should refer to the regulation which fixes the maximum prices for purchases and sales of the kinds of logs and bolts received at his plant.

(c) *Applications for adjustment by operators under Conservation Order M-343.* Any person subject to the provisions of Conservation Order M-343,<sup>4</sup> issued by War Production Board on August 19, 1943, who believes that the maximum prices in this regulation are causing or threaten to cause him to sustain a loss by complying with the requirements of that order, may file an application for adjustment of his maximum prices in accordance with Revised Procedural Regulation No. 1. In such cases the application must include the following data:

(1) Profit and loss statements covering over-all company operations for (a) the most recent accounting period of not less than six months immediately preceding August 1943 and (b) the applicable six months base quota period as described in the Conservation Order. These statements must show a detailed breakdown of all manufacturing costs, and of administrative and selling expenses.

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 7 F.R. 5180, 7243, 7454, 8949; 8 F.R. 2093, 4720, 7490.

<sup>2</sup> 8 F.R. 1453, 2208, 2992, 5564, 6359, 10825.

<sup>3</sup> 8 F.R. 3670, 5163, 5565, 6356, 8761, 9516, 10023, 11214.

<sup>4</sup> 8 F.R. 11505.

(2) Tabulations of total production, stated in terms of board feet and dollars sales value and classified as to all items of veneer and other products manufactured by the applicant. These tabulations should cover the same periods as the profit and loss statements referred to in (1) above.

This amendment shall become effective October 2, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of September 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-15723; Filed, September 28, 1943; 9:23 a. m.]

#### PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[R.O. 5C, Amdt. 74]

##### MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Ration Order 5C is amended in the following respects:

1. Section 1394.7551 (a) (43) is amended to read as follows:

(43) "Vehicle available for public rental" means a registered motor vehicle built or rebuilt primarily for the purpose of transporting persons, having a seating capacity of less than ten, which is leased from or held for rental by a motor vehicle rental agency.

2. Section 1394.7752 is amended to read as follows:

§ 1394.7752 *Persons entitled to official and fleet rations.* (a) Subject to the provisions of paragraph (b) hereof, the owner or the person entitled to the use of an official motor vehicle may obtain an "official" ration and the owner or the person entitled to the use of a registered passenger automobile or a registered motorcycle (other than an official motor vehicle) which is a part of a fleet may obtain a "fleet" ration providing for occupational mileage to the extent that such mileage is allowed by a Board in accordance with § 1394.7754.

(b) Such official or fleet ration shall not be issued and may not be obtained for use with a passenger automobile or motorcycle which is held by a motor vehicle dealer for sale or resale, or for use with a vehicle available for public rental.

\*Copies may be obtained from the Office of Price Administration.

17 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009, 11070; 8 F.R. 179, 274, 369, 372, 607, 555, 1028, 1202, 1203, 1365, 1282, 1366, 1318, 1588, 1813, 1895, 2098, 2213, 2288, 2353, 2431, 2595, 2780, 2720, 3096, 3261, 3253, 3255, 3254, 3315, 3616, 4189, 4341, 4850, 4976, 5267, 5268, 5486, 5564, 5756, 6261, 6179, 6441, 6846, 6687, 7390, 7455, 8009, 8180, 8680, 9021, 9022, 6980, 9062, 9202, 9304, 9334, 9219, 9787, 9457, 9530, 10082, 10364, 10365, 10511, 11429, 12023.

3. Section 1394.7758 (a) is amended to read as follows:

(a) The lessee of a vehicle available for public rental who holds such vehicle under a lease for a term of more than thirty consecutive days may apply for a ration for use with such vehicle to provide gasoline for the occupational mileage to be driven therein during the term of such lease.

4. In § 1394.7851 (b) (5) the text preceding subdivision (i) is amended to read as follows:

(5) For use with a motor boat, or with any motor vehicle which may lawfully be operated without a Certificate of War Necessity, for any of the following purposes. No ration may be issued under this paragraph which would permit a vehicle to be moved on its own wheels for a distance of more than 200 miles, unless the vehicle is a commercial motor vehicle and the Office of Defense Transportation has certified that alternative means of transportation for the movement of such vehicle by rail or water carrier are unavailable or inadequate.

5. Section 1394.7851 (b) (5) (iii) is revoked.

6. Section 1394.7851 (b) (6) is added to read as follows:

(6) For use with a motor vehicle or boat to return such vehicle or boat, upon recovery after theft, to its customary garage or station.

7. Section 1394.7851 (c) (4) is amended by inserting after the phrase "In the gasoline shortage area" the phrase "or in Area B" and by substituting for the words "paragraph (b) (5) (i), (ii) or (iii)" the words "paragraph (b) (5) (i) or (ii)".

8. The text of § 1394.8157 is amended to read as follows:

Nothing in Ration Order No. 5C shall be deemed to forbid the transfer of gasoline actually in the fuel supply tank of a vehicle, boat or equipment, in conjunction with a lawful and bona fide transfer of such vehicle, boat or equipment. The transferee of such vehicle, boat or equipment may use any gasoline actually in the fuel supply tank thereof at the time of transfer except as provided in § 1394.8183.

9. Section 1394.8161 (c) is amended to read as follows:

(c) No ration issued to the lessor of a vehicle available for public rental for use with such vehicle may be used by a lessee of such vehicle during the term of a lease of more than thirty consecutive days.

10. Section 1394.8183 is added to read as follows:

§ 1394.8183 *Limitation on distance of drive-away delivery of vehicle.* (a) No person shall use gasoline to move any motor vehicle a distance of more than two hundred miles on its own wheels for any of the following purposes:

(1) Delivery after sale, lease or gift, or upon inheritance, to or for the person entitled to the possession of the vehicle or boat, or to his premises or a place of storage;

(2) Movement to a place of storage or to the premises of the person entitled to the possession of the vehicle or boat upon an acquisition of the right to possession of such vehicle or boat by virtue of a lien or security contract.

(b) This section shall not prohibit:

(1) Any movement of a vehicle for the distance which can be traveled through the use of a Transport ration or Basic ration duly issued for use with such vehicle;

(2) Any movement of a commercial motor vehicle as to which the Office of Defense Transportation has certified that alternative means of transportation by rail or water carrier are unavailable or inadequate;

(3) Any movement of a vehicle in the course of its manufacture or assembly, between plants engaged in its manufacture or assembly.

This amendment shall become effective October 1, 1943.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 27th day of September 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-15750; Filed, September 23, 1943; 9:23 a. m.]

#### PART 1408—GLASS AND GLASS CONTAINERS

[MPR 382, Amdt. 4]

##### WIDE MOUTH GLASS CONTAINERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation No. 382, is amended in the following respects:

1. Section 1.10 (d) (2) (iv) is revoked.

2. Section 1.10 (e) (2) (i) and (ii) are amended to read as follows:

(2) *Submission of applications.* Every application submitted under this paragraph shall include at least the following information:

(i) Sufficient data to identify the item in question and the prospective seller and purchaser and any information which the applicant has readily available as to a shortage which may be relieved by the proposed shipment.

(ii) Any information which the applicant has readily available pertaining to the fact that the making of the proposed shipment will not in turn cause or tend to cause the existence of a shortage in any locality in the Eastern Area.

This amendment shall become effective October 2, 1943.

\*8 F. R. 6275, 8839, 10618, 11813.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of September 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-15747; Filed, September 28, 1943; 9:32 a. m.]

PART 1448—EATING AND DRINKING  
ESTABLISHMENTS

[Restaurant MPR 5-7]

FOOD AND DRINK SOLD FOR IMMEDIATE  
CONSUMPTION

In the judgment of the District Director of the Oklahoma City District, the prices of food and beverages sold for immediate consumption in the counties of Alfalfa, Atoka, Beaver, Beckham, Blaine, Bryan, Caddo, Canadian, Carter, Choctaw, Cimarron, Cleveland, Coal, Comanche, Cotton, Custer, Dewey, Ellis, Garfield, Garvin, Grady, Grant, Greer, Harmon, Harper, Jackson, Jefferson, Johnston, Kay, Kingfisher, Kiowa, Lincoln, Logan, Love, McClain, McCurtain, Major, Marshall, Murray, Noble, Oklahoma, Payne, Pontotoc, Pottawatomie, Pushmataha, Roger Mills, Seminole, Stephens, Texas, Tillman, Washita, Woods, Woodward, have risen and are threatening further to rise to an extent and in a manner inconsistent with the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328.

In the judgment of the said District Director, the maximum prices established by this regulation are generally fair and equitable and are necessary to check inflation and to effectuate the purposes of the Act. So far as practicable, said District Director gave due consideration to prices prevailing between October 1 and 15, 1941, and consulted with the representatives of those affected by this regulation.

A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith.\*

Therefore, in accordance with the direction of the President to take action which will stabilize prices affecting the cost of living, and under the authority therewith delegated by the President pursuant to the Act of Congress approved October 2, 1942, entitled "An Act to Aid in Stabilizing the Cost of Living", 77th Congress, Second Session, and under the authority of Executive Order No. 9250, Executive Order No. 9328, and the Emergency Price Control Act of 1942, the District Director of the Oklahoma City District hereby issues this Restaurant Maximum Price Regulation No. 5-7, establishing as maximum prices for food and drink sold for immediate consumption in the counties mentioned above the prices prevailing therefor during the seven-day period beginning April 4, 1943, and ending April 10, 1943.

\*Copies may be obtained from the Office of Price Administration.

§ 1448.407 *Maximum prices for food and drink sold for immediate consumption.* Under the authority vested in the District Director of the Oklahoma City District by the Emergency Price Control Act of 1942, as amended, Executive Order 9250, Executive Order 9328, and General Order No. 50 issued by the Office of Price Administration, and Order of Delegation of Authority issued by the Regional Administrator of Region V, Restaurant Maximum Price Regulation No. 5-7 (Food and Drink Sold for Immediate Consumption) which is annexed hereto and made part hereof, is issued.

AUTHORITY: § 1448.407 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

RESTAURANT MAXIMUM PRICE REGULATION NO.  
5-7—FOOD AND DRINK SOLD FOR IMMEDIATE  
CONSUMPTION

CONTENTS

Sec.

1. Sales at higher than ceiling prices prohibited.
2. How you figure ceiling prices for food items and meals you offered in the seven-day period from April 4, 1943, to April 10, 1943.
3. How you figure ceiling prices for food items and meals you did not offer in the seven-day period.
4. How you figure your prices for seasonal items.
5. No ceiling price for any food item or meal to be higher than the highest ceiling price for a food item or meal of the same class in the base period.
6. Substitution of food items in meals.
7. Prohibition against manipulation of meal offerings.
8. Evasion.
9. Rules for new proprietors.
10. Taxes.
11. Records.
12. Posting.
13. Operation of several places.
14. Relation to other maximum price regulations.
15. Geographical application.
16. Enforcement.
17. Exempt sales.
18. Adjustments.
19. Definitions and explanations.
20. Classes of food items and meals.
21. Special orders.
22. Licensing.
23. Revocation.

SECTION 1. *Sales at higher than ceiling prices prohibited.* If you own or operate a restaurant, hotel, cafe, bar, delicatessen, soda fountain, boarding house, or any other eating or drinking place, you must not offer or sell any "food item" (including any beverage) or "meal" at a price higher than the ceiling price which you figure according to the directions in the next two sections (sections 2 and 3). You may, of course, sell at lower than ceiling prices.

SEC. 2. *How you figure ceiling prices for food items and meals you offered in the seven-day period from April 4, 1943, to April 10, 1943.* Your ceiling price for any food item or meal which you offered in the seven-day period beginning Sunday, April 4, 1943, and ending Saturday, April 10, 1943, is the highest price at which you offered the same food item or meal in that seven-day period.

SEC. 3. *How you figure ceiling prices for food items and meals you did not*

*offer in the seven-day period.* You must figure your ceiling price for a food item or meal which you did not offer during the seven-day period as follows:

(a) If you offered the same food item or meal at any time during the four weeks from March 7 to April 3, 1943, inclusive, and if you have adequate records of the prices you then charged, take as your ceiling price the highest price at which you offered that food item or meal during that four-week period.

(b) If you did not offer the food item or meal during the five-week period from March 7 to April 10, 1943, inclusive, or if you do not have adequate records of prices charged prior to the seven-day period you must proceed as follows:

(1) Determine the cost of the raw food which you use in preparing the new food item or meal.

(2) From the food items and meals for which you have already established ceiling prices, choose a food item or meal which currently has a raw food cost equal to or less than the raw food cost of the new food item or meal.

(3) Take as your ceiling price for the new food item or meal your ceiling price for the food item or meal chosen for comparison. The food item or meal chosen for such comparison should be of the same class as the new food item or meal. If, however, you can find no food item or meal of the same class, you may use for comparison the most similar food item or meal of another class having a food cost equal to or less than your food cost for the new food item or meal. "Currently" as used herein means current on the day you figure your price.

(c) Once your ceiling price for a food item or meal has been fixed, it may not be changed except as provided in section 4.

SEC. 4. *How you figure your prices for seasonal items.* First, determine your ceiling price for a "seasonal food item" (defined in section 20 (e)) in accordance with the appropriate rule of sections 2 and 3 of this regulation. Thereafter, this price must be varied in proportion to any seasonal change in the raw food cost of the item: *Provided*, That in no event shall the price be higher than the ceiling price as originally determined. If in the past it has been your practice to maintain one price throughout the season, you need not vary your ceiling price according to this rule provided the ceiling price is based upon estimated average raw food cost of the item for the entire season.

SEC. 5. *No ceiling price for any food item or meal to be higher than the highest ceiling price for a food item or meal of the same class in the base period.* Under no circumstances are you permitted to charge a higher price for a food item or meal than:

(a) Your highest ceiling price for food items or meals of the same class offered in the seven-day period; or

(b) The last price at which you sold the same food item or meal prior to April 4, 1943, provided you first file with the appropriate war price and rationing board a menu or certified copy of a record showing the last price charged.

The provisions of this section shall not apply to seasonal dessert specialties specified in section 21 A Class 24a.

*Example 1.* If your highest ceiling price for any soup offered by you during the seven-day period is 15 cents, you may not offer any other soup at a higher price than 15 cents.

*Example 2.* You last served sirloin steak in March at \$1.50. You did not serve sirloin steak during the base period. The highest price at which you can now serve sirloin steak is \$1.50.

**SEC. 6. Substitution of food items in meals.** If you have already determined your ceiling price for a meal you may substitute for any food item other than the entree (or main dish) in that meal any other food item of the same class without refiguring your ceiling price, provided the new food item costs you approximately as much and offers customers about the same value as the food item which it replaces. A meal becomes a "new" meal whenever the entree (or main dish) is changed or a new food item is substituted which costs you less or offers your customers lower value than the food item which it replaces, and you must therefore determine its ceiling price in accordance with the rules established by section 3.

**SEC. 7. Prohibition against manipulation of meal offerings.** You must not manipulate your meal offerings in a manner which will force your customers to pay more than they did during the seven-day period. Among other things you must not

(a) Reduce the number of meals offered at prices equal to or below your "middle price" for meals of the same class without making a corresponding reduction in the number of meals offered at prices above that middle price. By "middle price" is meant the price most nearly at the mid-point of your price range for meals of the same class.

(b) Cease to offer at least as many different meals at or below the lowest price charged by you for meals of the same class on any day you select in the seven-day period, as you did on that day.

*Example:* If you select Friday, April 9, 1943, to determine the lowest price and the number of week-day meals offered at that price, and if on that day you offered six week-day dinners, of which two were priced at 85¢, and one each at 90¢, \$1.00, \$1.10, \$1.15, you must continue to offer two week-day dinners at 85¢. Note that Sunday meals and week-day meals are meals of a different class.

**SEC. 8. Evasion.** (a) You must not evade the provisions of this regulation by any scheme or device whatsoever. Some, but not all, practices which will be regarded as evasive are:

(1) Dropping food items from meals, deteriorating quality or reducing quantity without making sufficient reduction in price so as to maintain the raw food cost ratio at least equal to such ratio prior to the deterioration or reduction;

(2) Withdrawing the offer, or increasing the price, of any meal ticket, weekly rate, or other arrangement by which customers may buy food items or meals at less than the prices they must pay when purchasing by item or meal;

(3) Increasing any cover, minimum, bread-and-butter, service, corkage, entertainment, check-room, parking or other special charges, or making such charges when they were not in effect in the seven-day period except that a cover or minimum charge in effect during the base period may be increased in accordance with customary practice, where it was the practice to vary the charge in accordance with the type of entertainment offered and the increase does not cause the charge to go above the highest charge made during the last twelve-month period;

(4) Requiring as a condition of sale of an item or meal the purchase of other items or meals when such condition was not in effect during the base period;

(5) Reducing the selection of meals offered at table d'hôte prices when the food items which you customarily offered in such meals are being offered at a la carte prices which when added together total more than the table d'hôte price for the complete meal or give your customers less value for their money.

*Example 1.* If you customarily offered fish on table d'hôte dinners at \$1.10, you may not now offer fish a la carte and refuse to offer it on a table d'hôte dinner priced at \$1.10.

*Example 2.* If you offered table d'hôte dinners during the base period at 85¢ to \$1.25 which included dessert and beverage, you may now offer the same food item excluding dessert and beverage at 65¢ to \$1.05, providing you also offer dessert and beverage to be served with the meals at prices which do not total more than 20¢.

(b) You will not be considered evading the provisions of this regulation, however, if you do any of the following things, even though you did not do any of these things during the seven-day period:

(1) You may limit your customers to one cup of coffee per meal.

(2) You may limit your customers to one pat of butter per meal.

(3) You may reduce the quantity, or eliminate altogether, condiments (such as catsup, chili sauce, etc.) which you may have customarily placed at the disposal of your customers and which now are, or may hereafter be, subject to any rationing order or rationing regulation of the Office of Price Administration.

(4) You may reduce the amount of sugar served with each cup of coffee or tea, or each bowl of cereal, fruit, or other similar food items with which sugar is served, to, but not less than, one teaspoonful, except that less may be given if required by your available supply.

You may not, however, make the curtailment authorized in the foregoing subparagraphs and furnish these curtailed items at an additional charge. For example, if during the seven-day period you furnished catsup, you may not now discontinue furnishing this item free, and at the same time offer to furnish it for an additional charge.

**SEC. 9. Rules for new proprietors.** (a) If you acquire another's business subsequent to the effective date of this regulation and continue the business in the same place, you are subject to the same ceiling prices and duties as the previous proprietor. Prior to acquiring another's

business, however, you may apply to the Office of Price Administration for permission to price under paragraph (b) of this section. If such permission is granted it may be subject to such conditions as the Office of Price Administration deems necessary.

(b) If you open an eating or drinking place after the seven-day period, you must fix ceiling prices in line with the ceiling prices of the nearest eating or drinking place of the same type as yours. If the ceiling prices so fixed are too high and threaten to have an inflationary effect on the price of food or drink, the Office of Price Administration may issue an order requiring you to reduce your ceiling prices. You are subject to the record requirements of section 11 and the posting requirements of section 12 immediately upon the opening of your place.

**SEC. 10. Taxes.** If in the seven-day period you stated and collected the amount of any tax separately from the price you charged, you may continue to do so. You may also separately state and collect the amount of any new tax or of any increase in the amount of a previous tax on the sale of food or drink or on the business of selling food or drink, if the tax is measured by the number or price of items or meals.

**SEC. 11. Records.** (a) You must observe all the record-keeping and filing requirements of General Order No. 50 which are hereby made a part of this regulation by reference.

(b) *Customary records.* You must preserve all your existing records relating to your prices, costs and sales. You must also continue to maintain such records as you ordinarily kept. All such records shall be subject to examination by the Office of Price Administration.

(c) *Records of the seven-day period.* You must make available for examination by any person during ordinary business hours a copy of each menu used by you in the seven-day period. If you did not use menus, you must make available for such examination a list of the highest prices you charged in the seven-day period.

(d) *Filing by new proprietors.* The proprietor of an eating or drinking place which was not open during the seven-day period (including newly-opened places) shall file menus or a price list in accordance with Paragraph (a) (of General Order 50) except that (1) the filing shall be for the seven-day period beginning with the first Sunday that place is open after April 4, 1943, and (2) the filing shall be made within three weeks of such first Sunday.

(e) *Future records.* Beginning with the effective date of this regulation, you must keep, for examination by the Office of Price Administration, two each of the menus used by you each day. If you do not use menus you must prepare in duplicate, and preserve for such examination, a record of the prices charged by you each day, except that you need not record prices which are the same as, or less than, prices you previously recorded for the same items or meals. Proprietors who operate a number of eating or drinking places in the same city which

have customarily been subject to central control may keep the records required by this paragraph for those places at a central office or the principal place of business within the city.

**Sec. 12. Posting.** (a) Beginning November 1, 1943, each menu must have clearly written on or attached to it the following statement:

All prices listed are our ceiling prices or below. By Office of Price Administration regulation, our ceiling prices are based on our highest prices from April 4, 1943, to April 10, 1943. Records of these prices are available for your inspection.

(b) If you made menus available in the seven-day period, you shall continue to make them available.

(c) In addition to the requirements in (a) and (b), you must post in a conspicuous place, preferably at or near the cash register, a sign or poster when furnished by the Office of Price Administration. You must enter after each meal or food item on this list your ceiling price for such meal or food item.

**Sec. 13. Operation of several places.** If you own or operate more than one eating or drinking place, you must do everything required by this regulation for each place separately.

**Sec. 14. Relation to other maximum price regulations.** The provisions of this regulation shall supersede other regulations, including the General Maximum Price Regulation, now or hereafter issued by the Office of Price Administration, insofar as they establish maximum prices for meals and food items sold by eating and drinking places. However, a price charged during the base period of this regulation shall not become a maximum price under this regulation to the extent that it exceeded the maximum price established by another regulation applicable at that time. In such case the lawful maximum price applicable at that time shall be the maximum price hereunder: *Provided*, That this Restaurant Maximum Price Regulation No. 5-7 shall not apply to any commodity, the price of which is fixed by Oklahoma City District Order No. G-1 and Amendments 1 and 2 thereto, under General Order No. 50. (Order No. G-1 affecting the sale of domestic malt beverages—beer or ale—by eating or drinking places.)

**Sec. 15. Geographical application.** This Restaurant Maximum Price Regulation No. 5-7 applies to the counties of Alfalfa, Atoka, Beaver, Beckham, Blaine, Bryan, Caddo, Canadian, Carter, Choctaw, Cimarron, Cleveland, Coal, Comanche, Cotton, Custer, Dewey, Ellis, Garfield, Garvin, Grady, Grant, Greer, Harmon, Harper, Jackson, Jefferson, Johnston, Kay, Kingfisher, Kiowa, Lincoln, Logan, Love, McClain, McCurtain, Major, Marshall, Murray, Noble, Oklahoma, Payne, Pontotoc, Pottawatomie, Pushmataha, Roger Mills, Seminole, Stephens, Texas, Tillman, Washita, Woods and Woodward in the State of Oklahoma.

**Sec. 16. Enforcement.** Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension

of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

**Sec. 17. Exempt sales.** Sales by the following eating or drinking places are specifically exempt from the provisions of this regulation:

(a) Eating and drinking places operated by or in connection with church, Sunday school or other religious organizations.

(b) Hospitals, except for food items and meals served to persons other than the patients, when a separate charge is made for such food items and meals.

(c) Eating and drinking places located on board common carriers (when operated as such), including railroad dining cars, club, bar and buffet cars, and peddlers aboard railroad cars traveling from station to station.

(d) Eating and drinking places operated by any school, college or university which is a non-profit institution (that is, where no part of the net earnings inures to the benefit of any private shareholder or individual), which sells food items or meals on a non-profit or cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to students, faculty members and employees of such institution. For purposes of this paragraph, persons receiving instruction on the premises of such institution by arrangement with the War Department or Department of the Navy or any other part of the Armed Forces of the United States shall be considered students.

(e) Eating cooperatives formed by officers in the Armed Forces (as, for example, officers' mess) operated as a non-profit cooperative (where no part of the net earnings inures to the benefit of any individual), which sells food items or meals on a cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to persons who are members of the cooperative.

(f) Bona fide private clubs which file with the appropriate OPA District Office a statement setting forth that:

(1) The club is a non-profit organization and is recognized as such by the Bureau of Internal Revenue;

(2) It sells food items and meals only to members and bona fide guests of members;

(3) Its members pay dues or more than a merely nominal amount and are elected to membership by a governing board, membership committee or other body; and

(4) It is otherwise operated as a club. Five days after filing such information, or earlier if so notified by the District Director, a private club may consider itself exempt unless and until it is otherwise notified by the District Director.

**Sec. 18. Adjustments.** (a) The Office of Price Administration may adjust the maximum prices for any eating establishment under the following circumstances:

(1) The establishment will be forced to discontinue operations unless it is granted an adjustment of the maximum prices established by this regulation.

(2) Such discontinuance will result in serious inconvenience to consumers in that they will either be deprived of all restaurant service or will have to turn to other establishments that present substantial difficulties as to distance, hours of service, selection of meals or food items offered, capacity or transportation.

(3) By reason of such discontinuance, the same meals or food items will cost the customers of the eating establishment as much or more than the proposed adjusted prices.

(b) If you are the proprietor of an eating establishment which satisfies the requirements specified above, you may apply for an adjustment of your maximum prices by submitting to your OPA District Office a statement setting forth:

(1) Your name and address.

(2) A description of your eating establishment including: type of service rendered (such as cafeteria, table service, etc.), classes of meals offered (such as breakfast, lunch and dinner), number of persons served per day during the most recent thirty-day period,<sup>1</sup> and such other information that may be useful in classifying your establishment.

(3) The reasons why your customers will be seriously inconvenienced if you discontinue operations.

(4) The names and addresses of the three nearest eating places of the same type as yours.

(5) A list showing your present maximum prices and your requested, adjusted prices.

(6) A profit and loss statement for your restaurant business for the most recent three-month accounting period, and a copy of your last income tax return if one was filed separately for your restaurant business.

**Sec. 19. Definitions and explanations.**

(a) "Person" means individual, corporation, partnership, association or other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, any other government, or any of its political subdivisions, and any agencies of any of the foregoing.

(b) "Meal" means a combination of food items sold at a single price. Examples of meals are a five-course dinner, a club breakfast, and a blue-plate special. Two or more kinds of food which are prepared or served to be eaten together as one dish are not a "meal." Examples of such dishes are: ham and eggs, bread and butter, apple pie and cheese.

(c) "Offered" means offered for sale and includes the listing or posting of prices for items and meals even though the items and meals so offered were not actually on hand to be sold.

(d) "Food item" means an article or portion of food (including beverages) sold or served by an eating or drinking place for consumption in or about the place or to be taken out for eating with-

<sup>1</sup> In counting the number of persons served, any one who was served more than once is to be counted separately for each occasion he was served.



out change in form or additional preparation. It includes two or more kinds of foods which are prepared or served to be eaten together as one dish, such as ham and eggs, bread and butter, apple pie and cheese.

(e) "Seasonal food item" means a food item (including beverage) not generally offered for sale throughout the year and normally available in quantity only during certain seasonal production periods of each year. Examples are: certain shell-fish such as oysters; certain fresh fish such as salmon, trout and shad; certain vegetables such as summer squash; and certain fruits such as berries and melons.

(f) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 and in the General Maximum Price Regulation, issued by the Office of Price Administration, shall apply to other terms used herein.

SEC. 20. *Classes of food items and meals.* (See definition of "food item" and "meal" contained in section 19).

(a) *The classes of food items.*

#### BREAKFAST ITEMS

1. Fruits, fruit juices and vegetable juices.
2. Cereals.
3. Entrees: egg and combination egg dishes served at breakfast.
4. Entrees: meat and meat combination dishes served at breakfast.
5. Entrees: all other dishes served at breakfast.
6. Bread, rolls, buns, Danish-pastries, etc. served at breakfast.
7. All other breakfast dishes, including jams, jellies, and preserves.

#### OTHER ITEMS

8. Appetizers, except alcoholic cocktails.
9. Soups, including soups in jelly.
10. Beef; steaks and roasts.
11. Veal; steaks, chops and roasts.
12. Pork; loin, chops, steaks, roasts.
13. Lamb or mutton; chops, roasts.
14. Poultry and fowl.
15. Fish and shell-fish.
16. Game.
17. Miscellaneous and variety meats, including liver and kidneys.
18. Prepared dishes such as stews, casseroles, ragouts, curries, etc.
19. Egg and cheese dishes and combinations thereof.
20. All other dishes such as spaghetti and combinations, vegetable platter, baked beans and combinations, chop suey, etc.
21. Vegetables, including potatoes.
22. Salads (except as served as a main course or appetizer course in a meal.)
23. Desserts: cakes, cookies, pies, pastries and other baked goods.
24. Desserts: ice creams, sherbets, water ices, including combinations with syrups, creams, fruits and nuts.
- 24-a. Desserts: seasonal dessert specialties such as watermelon and cantaloupe.
25. Desserts: all others, including fruits, puddings and cheese.
26. Cold sandwiches, including garnishings, salads and vegetables.
27. Hot sandwiches, including garnishings, salads and vegetables.
28. All other food items served in a meal including mints and preserves.
29. Beverage foods, including coffee, cocoa, chocolate, tea and milk.
30. Non-alcoholic beverages, including sparkling and mineral waters, but not including domestic malt beverages, for which ceiling prices are established by Order G-1 and Amendments 1 and 2 thereto.

(b) *The classes of meals.* For purposes of this regulation there shall be thirteen classes of meals, namely, breakfast, lunch, tea, dinner and supper during week days, and breakfast, lunch, tea, dinner and supper on Sunday and legal holidays, children's breakfast, lunch and dinner.

SEC. 21. *Special orders.* The provisions of this regulation to the contrary notwithstanding, the Office of Price Administration may from time to time issue special orders providing for the establishment or reduction of the maximum price of any food item or items or meal or meals sold or offered by any seller or sellers when, in the judgment of the Oklahoma City Director, such action is necessary or desirable to prevent inflation, to stabilize prices affecting the cost of living, or to carry out the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders No. 9250 and No. 9328.

SEC. 22. *Licensing.* The licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation shall apply to all persons whose maximum prices are regulated by this regulation.

SEC. 23. *Revocation and amendment.* (a) This regulation may be revoked, amended or corrected at any time.

(b) You may petition for an amendment of any provision of this regulation (including a petition pursuant to Supplementary Order 28) by proceeding in accordance with Revised Procedural Regulation No. 1 except that the petition shall be filed with and acted upon by the Regional Administrator.

This regulation shall become effective October 1, 1943.

NOTE. The reporting and record keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 25th day of September, 1943.

REX A. HAYES,  
District Director.

[F. R. Doc. 43-15724; Filed, September 28, 1943; 9:23 a. m.]

#### PART 1499—COMMODITIES AND SERVICES [SR 15 to GMPR, Amdt. 10]

##### APPLICATIONS FOR ADJUSTMENT

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

The second undesignated paragraph of § 1499.75 (a) (3) is amended to read as follows:

Applications for adjustment shall be filed with the regional office of the Office of Price Administration in the region in which the service or services involved in the application are performed except that where an applicant supplies service in more than one region, or supplies service in interstate commerce as a carrier other than a common carrier, an

\*Copies may be obtained from the Office of Price Administration.

application shall be filed with the Office of Price Administration, Washington, D. C. The Regional Administrator of Region IX may delegate to any Territorial Director within his region the functions, duties, powers, and authority conferred on such Regional Administrator by this § 1499.75 (a) (3).

This amendment shall become effective October 2, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 27th day of September 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-15728; Filed, September 23, 1943; 9:21 a. m.]

#### PART 1499—COMMODITIES AND SERVICES [Order 8 Under MPR 165, as Amended]

##### PACIFIC LUMBER INSPECTION BUREAU, INC.

Order No. 8 under § 1499.114 (d) of MPR 165, as amended—Services; Docket No. 5028-2829.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, it is ordered:

§ 1499.708 *Adjustment of maximum prices for the sale of lumber grading and inspection services by Pacific Lumber Inspection Bureau, Inc.* (a) The maximum price to be charged by Pacific Lumber Inspection Bureau, Inc., 809 White Bldg., Seattle, Washington, for its services of grading, tallying, grade-marking, inspecting, and certifying grades and tallies of lumber and lumber products shall be a price computed on the pricing formula in use by the said Bureau in March 1942, using cost and other factors at the March 1942 levels except that the factor of labor cost may be varied in keeping with any change in wage scales which the said Bureau may put into effect under approval or requirement of the War Labor Board and the Director of Economic Stabilization.

(b) This Order No. 8 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 8 (§ 1499.708) shall be effective as of August 14, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of September 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-15751; Filed, September 23, 1943; 9:27 a. m.]

#### PART 1499—COMMODITIES AND SERVICES [Order 9 Under MPR 165, as Amended]

##### WEST COAST BUREAU OF LUMBER GRADES AND INSPECTION

Order No. 9 under § 1499.114 (d) of MPR 165, as amended—Services; Docket No. 8026-1860.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, it is ordered:

§ 1499.709 *Adjustment of maximum prices for the sale of lumber grading and inspection services by West Coast Bureau of Lumber Grades and Inspection.* (a) The maximum price to be charged by the West Coast Bureau of Lumber Grades and Inspection, of the West Coast Lumbermen's Association, 364 Stuart Building, Seattle, Washington, for its services of grading, tallying, grade-marking, inspection, and certifying grades and tallies of lumber and lumber products shall be a price computed on the pricing formula in use by the said Bureau in March 1942, using cost and other factors at the March 1942 levels except that the factor of labor cost may be varied in keeping with any change in wage scales which the said Bureau may put into effect under approval or requirement of the War Labor Board and the Director of Economic Stabilization.

(b) This Order No. 9 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 9 (§ 1499.709) shall be effective as of August 14, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of September 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-15725; Filed, September 28, 1943; 9:22 a. m.]

**PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING**

[MPR 187,<sup>1</sup> Amdt. 6]

**CERTAIN PAPERBOARD PRODUCTS**

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

The effective date provision of Amendment 3 to Maximum Price Regulation No. 187 is amended to read as follows:

This amendment shall become effective April 1, 1943 and remain in effect until December 1, 1943. The Price Administrator may at any time, amend, replace, extend or make permanent such amendment.

This amendment shall become effective October 1, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681).

Issued this 27th day of September 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-15735; Filed, September 28, 1943; 9:33 a. m.]

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup>7 F.R. 5780, 8948, 9323, -10618; 8 F.R. 4180, 7281.

**PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT**

[MPR 453,<sup>1</sup> Amdt. 1]

**WHOLESALE'S AND RETAILERS' MAXIMUM PRICES FOR AUTOMOTIVE PARTS**

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 5 is amended to read as follows:

SEC. 5. *Maximum prices for sales at wholesale and retail of new or rebuilt parts when the seller has been notified by his supplier of the maximum price and notification requirements.* This section does not apply to non-list parts. Maximum prices for sales at wholesale and retail for non-list parts are established by section 6.

Manufacturers of parts are told in Maximum Price Regulation No. 452—Manufacturers' Maximum Prices for Automotive Parts, under what conditions they must furnish their customers with their resale list prices. When manufacturers must do so, they are required to notify their customers that the resale list prices issued by the manufacturer are maximum prices. Paragraphs (a) and (b) of this section 5 require that a person selling at wholesale and who has been notified of his maximum resale price by his supplier shall notify each customer, whether wholesaler or retailer, of the customer's maximum resale price. The prices stated by manufacturers (in accordance with Maximum Price Regulation No. 452) or by persons selling at wholesale (in accordance with paragraphs (a) and (b) of this section 5) to be maximum prices for sales at wholesale or retail shall be the maximum prices for such sales when made by a person to whom such notice was given. Special provision is made in paragraph (c) of this section 5 for parts sold in pick-up sales.

(a) *Notification by person selling at wholesale to wholesalers.* After a person selling at wholesale has received written notice from a supplier of parts, by reference to the catalog, price list or discount sheet, that the maximum resale prices are the manufacturer's suggested resale prices or after a supplier has notified him of the maximum resale prices for the part by stating them on the invoice for the part, that person shall take the following action with respect to his sale of such part to a wholesaler after October 31, 1943:

(1) He shall furnish to the wholesaler, to the extent that the latter does not already have the same, copies of the appropriate catalog, price list or discount sheet, and he shall furnish the wholesaler (if he has not already done so) with a statement informing the wholesaler that the resale list prices contained in such catalog, price list or discount sheet are maximum prices. That statement shall be substantially in the following language:

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup>8 F.R. 11582.

The suggested resale prices, discounts and allowances in the catalog(s), price list(s), or discount sheet(s) of \_\_\_\_\_ and dated \_\_\_\_\_ (or "numbered \_\_\_\_\_") are the maximum resale prices for the parts listed therein, in accordance with Maximum Price Regulation No. 453 (Wholesalers' and Retailers' Maximum Prices for Automotive Parts).

Persons furnishing such statements shall prepare and keep available for inspection by representatives of the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, a record showing the names and addresses of the persons to whom such statements were sent, the date of sending and the statement that was sent to each.

If a person selling at wholesale prefers to do so, instead of following the procedure described in paragraph (1), he may state on each invoice covering sales of parts to a wholesaler the manufacturer's resale prices for sales of such parts both at wholesale and at retail. The maximum price for a sale at wholesale shall be indicated by the wording "Wholesale maximum" and that for a sale at retail by "Retail maximum".

(b) *Notification by person selling at wholesale to retailers.* After a person selling at wholesale has received written notice from a supplier of parts, by reference to the catalog, price list or discount sheet, that the maximum resale prices are the manufacturer's suggested resale prices or after the supplier has notified him of the maximum resale prices for the part by stating them on the invoice for the part, that person shall take the following action with respect to his sale of such part to a retailer after October 31, 1943:

(1) On all invoices to retailers for such part he shall state the price which is the maximum retail price for the part according to the supplier's statement to him. He shall indicate that price to be the maximum retail price by the wording "Retail maximum".

(c) *Pick-up sales and sales of pick-up parts—(1) Meaning of term.* A "pick-up sale" for the purposes of this section is a sale made by a wholesaler to another wholesaler for the accommodation of the latter of a small quantity of a part made by a manufacturer whose line the purchaser does not regularly stock and for which he does not have a catalog, price list, or discount sheet.

(2) *Notification by person making a pick-up sale.* A person who has been notified of the maximum resale price of a part sold on a pick-up basis shall take the following action with respect to such a sale after October 31, 1943: He shall furnish an invoice or sales slip for the pick-up sale and on it he shall state the price which is the maximum retail price according to the supplier's statement to him. He shall indicate that price to be the maximum retail price by the wording "Retail maximum".

(3) *Maximum price for person making a pick-up sale.* The maximum price that may be charged by a person making a pick-up sale is the same as it would be if it were an ordinary sale of a part covered by this section 5.

(4) *Notification to be given by a purchaser of a part obtained on a pick-up basis.* A person who has purchased a part through a pick-up sale shall give the same information to a retailer purchasing such part as he would under paragraph (b) in the case of any other part covered by this section. The price stated to the retailer to be the maximum retail price is the maximum price at which he may sell at retail.

(5) *Maximum price that may be charged by a purchaser of a part obtained on a pick-up basis.* The maximum price for a sale at wholesale by a person who has purchased the part through a pick-up sale shall be determined as follows: The person shall determine his mark-up for the same part which he regularly stocks but made by a different manufacturer. He shall add that amount to the invoice cost to him of the part being priced.

The maximum price for a sale at retail shall be the price named as the maximum retail price on the invoice or sales slip accompanying the pick-up sale.

(d) *Definition of "wholesaler" and "retailer".* For the purposes of this section 5, wholesaler and retailer mean persons who are normally considered by the trade as belonging to those classes. A person whose business is predominantly a retail business but who makes a few sales at wholesale would normally be considered as being a retailer and vice versa. It should be noted that the notification required by this section 5 in cases of sales at wholesale must be given whether the sale at wholesale is made by a wholesaler or a retailer.

This amendment shall become effective October 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of September 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-15744; Filed, September 28, 1943; 9:32 a. m.]

#### PART 1389—APPAREL

[MPR 438,<sup>1</sup> Amdt. 2]

#### MANUFACTURERS' PRICES FOR CERTAIN FALL AND WINTER OUTERWEAR

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation 438 is amended in the following respects:

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 8 F.R. 10503, 12712.

No. 193—6

1. The date in the third paragraph of section 3 is amended to read January 1, 1944.

2. The date in the fourth paragraph of section 4 (a) is amended to read January 1, 1944.

3. The date in the last sentence of section 6 (b) (1) is amended to read January 11, 1944.

4. The date in the fourth sentence of section 6 (b) (2) is amended to read January 11, 1944.

5. The date in the last sentence of the text of section 6 (b) (3) is amended to read January 21, 1944.

6. The paragraph of the regulation entitled *Effective date* is amended to read as follows:

*Effective date.* This regulation becomes effective for all sellers on January 1, 1944. But, if a seller files his division factor forms and receives acknowledgment of their filing before this date, the regulation becomes effective as to him on the day such acknowledgment is received. However, any seller who has received acknowledgment of the filing of his forms before October 1, 1943 may continue to price under section 3.5 of Revised Supplementary Regulation No. 14 until January 1, 1944, if he requests his OPA district office to suspend the effect of filing his forms. This request must be by registered mail and must be made within 15 days after September 27, 1943.

This amendment shall become effective as of September 27, 1943.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E. O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Shotgun shells	Length shell inches	Powder equiv. grams	Ozs. shot	Price per M				
				Zone 1	Zone 2	Zone 3	Zone 4	Zone 5
12 gauge.....	2 3/4	3 1/4	1 1/4	\$41.73	\$42.17	\$42.55	\$42.92	\$43.31
16 gauge.....	2 1/4	3	1 1/2	39.89	40.29	40.62	40.95	41.16
20 gauge.....	2 1/4	2 1/4	1	39.89	40.29	40.62	40.95	41.16
<i>Rim fire cartridges</i>								
22 long rifle, regular.....				5.12	5.14	5.17	5.19	5.21
22 short, regular.....				3.17	3.19	3.21	3.22	3.23
<i>Center fire cartridges</i>								
25-35 Winchester.....				53.12	53.23	53.43	53.73	53.73
30-30 Winchester.....				54.04	53.11	53.29	53.47	53.69
30 Remington.....				54.04	53.11	53.29	53.47	53.69
300 Savage-Remington.....				59.49	59.57	59.75	59.93	60.12
32 Winchester Special.....				54.04	53.13	53.31	53.49	53.63
35 Remington.....				61.23	61.74	61.94	62.15	62.37
270 Winchester.....				72.65	72.25	72.44	72.64	72.84

(2) The maximum price for all sales at wholesale of articles of ammunition not listed in the above table shall be the prices contained in the manufacturers' wholesale price lists in effect during March 1942, for the zone in which the purchaser is located. All maximum prices established by this paragraph (a) for sales at wholesale shall be subject to the sellers' transportation terms and dis-

\*Copies may be obtained from the Office of Price Administration.

Issued this 27th day of September 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-15746; Filed, September 28, 1943; 9:33 a. m.]

#### PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 35]

##### AMMUNITION

A statement of considerations accompanying this Amendment No. 35 to Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

A new section 624 is added as follows:

**Sec. 624 Ammunition.** This section establishes maximum prices of ammunition, other than hand loaded or military items, for sales at wholesale and retail, including sales by individuals. Ammunition consists of a casing of metal or paper loaded with gun powder and containing a metallic bullet or metallic shot, designed to be fired in a pistol, revolver, rifle, or shot gun.

(a) *Maximum prices of jobbers.* (1) The maximum price inclusive of Federal Excise Tax, for a sale at wholesale of an item listed below shall be the price listed for that item in the zone in which the purchaser is located. The proper zone may be determined by reference to the listing of distributing points in the price lists of the Federal Cartridge Corporation, Peters Cartridge Division, Remington Arms Company, Inc., Western Cartridge Company, and Winchester Repeating Arms Company.

counts off manufacturers' suggested wholesale prices which were in effect during March 1942.

(b) *Maximum prices of retailers and others.* (1) The maximum price, inclusive of Federal Excise Tax, for a sale by any person to an ultimate consumer of an item listed below shall be the price listed below for that item. Sales of standard boxes shall be at the price listed per box; sales of quantities less than one box shall be at the price listed per shell or cartridge.

## § 9.1 Regulatory Executive Orders: declaring closed ports

Designation	Locality	No.	Date	Citation
Tortugas	Florida			
Great Harbor	Culebra			
Guantanamo	Cuba			
Pearl Harbor	Hawaii	E. O. 1613	Sept. 23, 1912	
Guam	Pacific			
Suble Bay	Philippine Islands			
Kiska	Alaska			

## § 9.2 Regulatory Executive Orders: establishing naval airspace reservations

Designation	Locality	No.	Date	Citation
Great Harbor	Culebra	E. O. 9281 (for Suble Bay)	Feb. 17, 1930	(See E. O. 8001, 6 F.R. 6325)
Guantanamo	Cuba	see also E. O. 8718		
Pearl Harbor	Hawaii	E. O. 7188	Aug. 12, 1935	(See E. O. 8001, 6 F.R. 6325)
Guam	Pacific	E. O. 8507	Nov. 13, 1940	5 F.R. 4559
Suble Bay	Philippine Islands	E. O. 8680 (see also E. O. 8720)	Feb. 14, 1941	6 F.R. 1014
Kiska	Alaska	E. O. 8681	Feb. 14, 1941	6 F.R. 1014
Aleutian Islands	Alaska	E. O. 8682 (see also E. O. 8720)	Feb. 14, 1941	6 F.R. 1015
Sitka Island	Alaska			
Kodiak Island	Alaska			
Kiska Island	Alaska			
Unalaska Island	Alaska			
Kaneoke Bay	Hawaii			
Palmira Island	Pacific			
Johnston Island	Pacific			
Midway Island	Pacific			
Wake Island	Pacific			
Kingman Reef	Pacific			
Rose Island	Pacific			
Tutula Island	Pacific			
Guam Island	Pacific			
Culebra Island	Pacific			
Suble Bay	Philippine Islands			
Kiska Island	Alaska			
Unalaska Island	Alaska			
Palmira Island	Pacific			
Johnston Island	Pacific			
Midway Island	Pacific			
Wake Island	Pacific			
Kingman Reef	Pacific			
Rose Island	Pacific			
Tutula Island	Pacific			
Guam Island	Pacific			
Culebra Island	Pacific			
Kodiak Island	Alaska			
Suble Bay	Philippine Islands			

## § 9.3 Regulatory Executive Orders: establishing defensive sea areas

Designation	Locality	No.	Date	Citation
North Carolina Coast	North Carolina	E. O. 5786	Jan. 30, 1932	
San Clemente Island	California	E. O. 7747 (see also E. O. 8590)	Nov. 20, 1937	2 F.R. 2534
Pearl Harbor	Hawaii	E. O. 8143	May 25, 1939	4 F.R. 2179
Regulations applicable to all		E. O. 8381	Mar. 22, 1940	5 F.R. 1147
San Clemente Island	California	E. O. 8535 (amends E. O. 7747)	Sept. 6, 1940	5 F.R. 3506
Kiska Island	Alaska	E. O. 8680 (see also E. O. 8720)	Feb. 14, 1941	6 F.R. 1014
Unalaska Island	Alaska	E. O. 8681	Feb. 14, 1941	6 F.R. 1014
Kaneoke Bay	Hawaii			
Palmira Island	Pacific			
Johnston Island	Pacific			
Midway Island	Pacific			
Wake Island	Pacific			
Kingman Reef	Pacific			
Rose Island	Pacific			
Tutula Island	Pacific			
Guam Island	Pacific			
Culebra Island	Pacific			
Kodiak Island	Alaska			
Suble Bay	Philippine Islands			

## TABLE OF MAXIMUM PRICES FOR SALES TO CONSUMERS

Shotgun shells (25 in a box)	Length shell inches	Powder equiv. grams	Ozs. shot	Price	
				Per box	Per shell or cartridge
12 gauge	29 1/4	334	1 1/4	\$1.33	\$ .07
16 gauge	29 1/4	3	1 1/4	1.32	.07
20 gauge	29 1/4	234	1	1.32	.07
Rim fire cartridges (50 in a box)					
22 long rifle, regular				.24	.01
22 short, regular				.21	.01
Center fire cartridges (50 in a box)					
25-35 Winchester				1.41	.09
30-30 Winchester				1.46	.09
30 Remington				1.46	.09
300 Savage-Remington				1.85	.12
32 Winchester Special				1.40	.09
32 Remington				1.64	.10
30 Remington				2.10	.13
270 Winchester					

Lower prices than those listed above may be charged.

(2) The maximum price for sales to an ultimate consumer of a box of ammunition not listed above shall be the price per thousand contained in the manufacturers' price lists, in effect during March 1942, divided by the number of boxes in the thousand. The maximum price per shell or cartridge for sales to an ultimate consumer of less than one box shall be the price per box plus 25%, divided by the number of shells or cartridges in the standard box.

The following is an example of how you determine the maximum price of a standard box: 12 gauge-long range shot shells are packaged 25 to the standard box. Dividing 1,000 by 25 equals 40, the number of boxes per thousand. The manufacturers' list price of \$55.20 per thousand, divided by 40 equals \$1.38, the price per box. To calculate the price per shell add 25% to the box price of \$1.38, or \$34 for a total of \$1.72. Divide \$1.72 by 25 (the number of shells in a standard box), to obtain the price of \$ .07 per shell.

(c) Addition of state and local taxes. State and local sales taxes imposed upon the sale of ammunition at wholesale or retail may be added to the maximum prices established under this section provided they are stated as a separate charge on the invoice or sales slip.

(d) Notification. (1) The manufacturer shall forward to each of his customers a copy of this amendment immediately after its issuance. (2) The jobber shall forward a copy of this

amendment to each of his customers at the time of or prior to the first invoice of sale.

(e) Posting. Retailers must keep posted a copy of the table contained in paragraph (b) (1) of this section at the place in his business establishment where ammunition is offered for sale, so that it is clearly visible to purchasers of ammunition.

(f) Applicability. The provisions of this section shall be applicable to the 48 states of the United States and to the District of Columbia.

This amendment shall become effective October 7, 1943.

(56 Stat. 765; Pub. Law 751, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9382, 8 F.R. 5781)

Issued this 27th day of September 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-15748; Filed, September 28, 1943; 9:33 a. m.]

## TITLE 34—NAVY

## Chapter I—Department of the Navy

## PART 9—EXECUTIVE ORDERS AND PROclamations APPLICABLE TO NAVY

Part 9, Chapter I, Title 34, is hereby amended and revised to read as follows:

## § 9.3 Regulatory Executive Orders: establishing defensive sea areas—Continued.

Designation	Locality	No.	Date	Citation
Kiska Island.....	Alaska.....	E.O. 8723 (Corrects E.O. 8339, 8382, 8383).	Apr. 2, 1941	6 F.R. 1791.
Unalaska Island.....	Alaska.....			
Palmyra Island.....	Pacific.....			
Johnston Island.....				
Midway Island.....				
Wake Island.....				
Kingman Reef.....				
Rose Island.....				
Tutuila Island.....				
Guam Island.....				
Guantanamo Bay.....	Cuba.....	E.O. 8749.....	May 1, 1941	6 F.R. 2232.
Manila Bay.....	Philippine Islands.....	E.O. 8853.....	Aug. 15, 1941	6 F.R. 4189.
Los Angeles-Long Beach Harbor.....	California.....	E.O. 8273.....	Nov. 27, 1941	6 F.R. 6123.
Portland.....	Maine.....	E.O. 8970 (for Narragansett Bay see also E.O. 8312).	Dec. 11, 1941	6 F.R. 6417.
Portsmouth.....	New Hampshire.....			
Narragansett Bay.....	Rhode Island.....			
San Diego.....	California.....			
San Francisco.....				
Columbia River Entrance.....	Oregon, Washington.....			
Strait of Juan de Fuca and Puget Sound.....	Washington.....			
New York Harbor.....	New York.....			
New London.....	Connecticut.....			
Delaware Bay and River.....	New Jersey, Pennsylvania.....	E.O. 8978.....	Dec. 16, 1941	6 F.R. 6409.
Chesapeake Bay-Norfolk.....	Virginia.....	E.O. 8887.....	Dec. 29, 1941	6 F.R. 6676.
Charleston Harbor.....	South Carolina.....			
Honolulu.....	Hawaii.....			
Metagorda Bay.....	Texas.....	E.O. 9163.....	May 29, 1942	7 F.R. 2341.
Buzzards Bay.....	Massachusetts.....	E.O. 9255.....	Nov. 6, 1942	7 F.R. 9167.
Vineyard Sound.....		E.O. 9275.....	Nov. 23, 1942	7 F.R. 5767.
Regulations applicable to all.....		E.O. 8312 (amends E.O. 8370).	May 19, 1943	8 F.R. 6647.
Narragansett Bay.....	Rhode Island.....			

## § 9.4 Regulatory Proclamations: establishing maritime control areas

Designation	Locality	No.	Date	Citation
Hawaiian.....	Pacific.....	Proc. 2532.....	Dec. 27, 1941	7 F.R. 1.
Cristobal.....	Canal Zone.....	Proc. 2533.....	Jan. 13, 1942	7 F.R. 391.
Gulf of Panama.....	.....	Proc. 2540.....	Feb. 19, 1942	7 F.R. 653.
Boston.....	Massachusetts.....	Proc. 2543.....	Mar. 25, 1942	7 F.R. 2329.
San Francisco.....	California.....			
Columbia River.....	Washington.....			
Puget Sound.....	.....			
Southeastern Alaska.....	Alaska.....			
Prince William Sound.....	.....			
Kodiak.....	.....			
Unalaska.....	.....			
Casco Bay.....	Maine.....			
Portsmouth.....	New Hampshire.....			
Cape Hatteras.....	North Carolina.....	Proc. 2569.....	Oct. 21, 1942	7 F.R. 8573.
Key West.....	Florida.....	Proc. 2573.....	Nov. 17, 1942	7 F.R. 9475.
Los Angeles.....	California.....			
San Diego.....	California.....	Proc. 2573.....	Nov. 17, 1942	7 F.R. 9475.

## § 9.5 Executive orders, covering naval reservations

Designation	State or Territory	Easement or other interest	No.	Documents affecting	
				Date	Citation
Adakh Island—Reservation.....	Alaska.....	Patents issued by Sec. Int. (a) Russian Greek Mission Reserve, U. S. Survey No. 758, Tract A, 2.18 A., Tract B, 6.84 A.; (b) Pac. Am. Fisheries Co., U. S. Survey No. 223, Kitchikan Anchorage, Belknap Bay, 12.62 A., and Survey No. 223A, Thin Point Sand Spit, Alas. Peninsula NE of Unga Island, 5.45 A.; and (c) U. S. Survey No. 152, Pac. Amer. Fish. Co. Patent, 17.27 A. Total acreage of private rights 44.95 Acres.	E.O. 8723.....	June 13, 1932	6 F.R. 2341.
Amaknak Island—Reservation.....	Alaska.....		E.O. 8723.....	June 14, 1941	
Biorka Island—Radio Station.....	Alaska.....		E.O. 1153.....	Oct. 19, 1939	
Cold Bay-Dolgoy Island—Reservation.....	Alaska.....		E.O. 8214.....	Oct. 23, 1939	
Do.....	do.....		E.O. 8723.....	Apr. 14, 1941	6 F.R. 1934.
Cordova Bay.....	Alaska.....				
Reservation.....	Alaska.....				
Radio Station (Eyak).....	Alaska.....				
Dutch Harbor (Amaknak).....	Alaska.....				
Coal Depot.....	.....				
Coal Depot.....	.....				
Radio Station.....	.....				
Radio Station.....	.....				
Hawkins Island—Reservation.....	Alaska.....				
Icy Cape—Reservation.....	Alaska.....	For use of the U. S. Coast Guard.....	E.O. 1229.....	July 15, 1910	7 F.R. 2314.
Jamestown Bay—Reservation.....	Alaska.....		E.O. 2337.....	Feb. 21, 1917	
Japonski Island—Reservation.....	Alaska.....		E.O. 1153.....	Jan. 13, 1939	
Juneau.....	Alaska.....		E.O. 1153.....	June 19, 1932	
Kiska Islands—Reservation.....	Alaska.....		E.O. 1153.....	Oct. 1, 1939	
Kodiak (Woody Is.) Radio Station.....	Alaska.....		E.O. 1153.....	Jan. 6, 1912	
Kodiak Island—Reservation.....	Alaska.....		E.O. 1153.....	Oct. 1, 1939	
.....	.....		E.O. 771.....	Mar. 18, 1933	
.....	.....		E.O. 1218.....	Sept. 29, 1910	
.....	.....		E.O. 3737-A.....	Feb. 27, 1922	
.....	.....	E.O. 9173.....	E.O. 1153.....	June 21, 1939	4 F.R. 4444.
.....	.....		E.O. 1153.....	June 21, 1939	
.....	.....		E.O. 211.....	Dec. 9, 1933	
.....	.....		E.O. 273.....	Mar. 21, 1917	



## § 9.5 Executive orders, covering naval reservations—Continued

Designation	State or Territory	Easement or other interest	No.	Documents affecting	
				Date	Citation
Port Graham—Reservation.....	Alaska.....	U. S. Survey No. 368 patented to Russian Gr. Church Mission Reserve at Alexandrovsky, and U. S. Survey No. 510, patented to Fidalgo Island Packing Company.	E.O. 5214.....	Oct. 30, 1929	
Seward—Radio Station—Reservation.....	Alaska.....		E.O. 2533.....	Feb. 20, 1917	
Resurrection Bay—Reservation.....	Alaska.....	Subject to any existing vested rights of persons within limits.	E.O. 3149.....	Aug. 16, 1919	
			E.O. 773.....	Mar. 23, 1908	
Sitka—Reservation—Cemetery.....	Alaska.....		E.O. 550.....	Jan. 10, 1907	
			E.O. ....	June 21, 1890	
			E.O. 4025.....	June 12, 1921	
			E.O. 4237.....	June 1, 1925	
Sitka Bay—Reservation.....	Alaska.....		E.O. 8216.....	July 25, 1939	4 F.R. 3430.
Unalaska Island—Reservation.....	Alaska.....		E.O. 5304.....	June 5, 1939	
Wide Bay—Reservation.....	Alaska.....		E.O. 5214.....	Oct. 30, 1929	
Yakutat Bay—Reservation.....	Alaska.....		E.O. 5214.....	Oct. 30, 1929	
Alameda—Air Station.....	California.....		E.O. 7467.....	Oct. 7, 1935	1 F.R. 1537.
Camp Elliott.....	California.....	For the use of the U. S. Marine Corps.	E.O. 8790.....	June 14, 1941	6 F.R. 2942.
			E.O. 8791.....	June 14, 1941	6 F.R. 2943.
			E.O. ....	Nov. 6, 1850	
			E.O. ....	Feb. 11, 1853	
Mare Island—Navy Yard.....	California.....		E.O. ....	July 23, 1906	
			E.O. 487.....	Jan. 13, 1899	
Mission Rock—Reservation.....	California.....		E.O. ....	Dec. 13, 1912	
			E.O. ....	Sept. 2, 1912	
Elk Hills—Reserves No. 1.....	California.....		E.O. 3862.....	June 11, 1923	
			E.O. 4225.....	May 19, 1925	
			E.O. 6444.....	Nov. 25, 1933	
Government Island.....	California.....	For the use of the Coast Guard; also partly reserved for Federal Works Agency.	E.O. 9343.....	May 19, 1943	8 F.R. 6647.
San Clemente Island—Fleet Training Base.....	California.....		E.O. 6897.....	Nov. 7, 1934	
			E.O. 7747.....	Nov. 20, 1937	2 F.R. 2634
San Diego—Air Station—bombing site.....	California.....		E.O. 7805.....	Feb. 5, 1938	3 F.R. 278.
San Diego (North Is.).....	California.....		E.O. 8883.....	Sept. 3, 1941	6 F.R. 4685.
Air Station.....	California.....		E.O. 2676-A.....	Aug. 1, 1917	
Fuel Depot (Pt. Loma).....	California.....		E.O. 7215.....	Oct. 26, 1935	
Supply Depot.....	California.....		E.O. 2328.....	Feb. 25, 1916	
			E.O. 7451.....	Sept. 17, 1936	1 F.R. 1410.
			E.O. ....	Nov. 6, 1850	
San Francisco (Yerba Buena Island)—Receiving Station.....	California.....		E.O. ....	Apr. 12, 1898	
San Miguel and Prince Island Reservations.....	California.....		E.O. ....	Jan. 20, 1899	
San Nicolas Island Reservation.....	California.....		E.O. 6896.....	Nov. 7, 1934	
Balboa.....	California.....		E.O. 6009.....	Jan. 31, 1933	
Radio Station.....	Canal Zone.....	Subject to civil jurisdiction of Canal Zone authorities.	E.O. ....	May 26, 1914	
Reservation.....	Canal Zone.....		E.O. 7387.....	June 15, 1936	1 F.R. 601.
Ammunition Depot.....	Canal Zone.....	Subject to civil jurisdiction of Canal Zone authorities.	E.O. 7862.....	Apr. 7, 1938	3 F.R. 724.
Cape Mala—Radio Station.....	Canal Zone.....	Subject to civil jurisdiction of Canal Zone authorities.	E.O. 5349.....	May 19, 1932	
Coco Solo—Fleet Air Base.....	Canal Zone.....	Subject to civil jurisdiction of Canal Zone authorities.	E.O. 3237.....	Mar. 1, 1920	
Cristobal—Quarters.....	Canal Zone.....		E.O. 6072.....	Mar. 8, 1933	
Gatun—Radio Station.....	Canal Zone.....	Subject to civil jurisdiction of Canal Zone authorities.	E.O. 5185.....	Sept. 6, 1929	
Summit—Radio Station.....	Canal Zone.....	Subject to civil jurisdiction of Canal Zone authorities.	E.O. 7399.....	June 23, 1936	1 F.R. 765.
			E.O. 9171.....	May 21, 1942	7 F.R. 3942.
			E.O. ....	Dec. 6, 1916	
			E.O. 4614.....	Mar. 17, 1927	
Garfield County—Oil Shale Reserve.....	Colorado.....	Homestead and other private claims.	E.O. ....	June 12, 1919	
			E.O. ....	Sept. 27, 1924	
			E.O. ....	Jan. 9, 1904	
Guantanamo Bay—Naval Station.....	Cuba.....		E.O. 5281.....	Feb. 17, 1930	
			E.O. 7800.....	Jan. 27, 1933	3 F.R. 223.
Anacostia—Air Station.....	District of Columbia.....		E.O. 7697.....	Aug. 23, 1937	2 F.R. 1443.
Washington—Navy Yard.....	District of Columbia.....		E.O. 7215.....	Oct. 26, 1935	
Key West Islands—Reservation.....	Florida.....		Proc. 1472.....	Aug. 7, 1918	40 Stat. 1820.
Pensacola (Live Oak) Reservation.....	Florida.....		E.O. 4060.....	Aug. 11, 1924	
Guam.....	Guam.....		E.O. 803.....	June 8, 1938	
Hanalepe (Kona, Kauai) Naval Reservation.....	Hawaii.....		E.O. ....	Jan. 10, 1938	
			E.O. 108-A.....	Dec. 23, 1938	
			E.O. 145 of Governor.....	Apr. 27, 1923	
Hilo—Radio Station.....	Hawaii.....		E.O. 174 of Governor.....	Dec. 13, 1924	
Honolulu—Reservation.....	Hawaii.....		Proc. 427.....	Nov. 2, 1893	30 Stat. 1750.
Kure (Ocean) Island.....	Hawaii.....		E.O. 7269.....	Feb. 20, 1936	
Lahaina (Maui)—Reservation.....	Hawaii.....		E.O. 146 of Governor.....	Apr. 27, 1923	
Lualualei—Ammunition Depot.....	Hawaii.....		E.O. 382 of Governor.....	Jan. 21, 1930	
			E.O. 383 of Governor.....	Feb. 12, 1930	
Radio Station.....	Hawaii.....		E.O. 599 of Governor.....	Dec. 22, 1933	
Palmyra Island.....	Hawaii.....	Subject to civil jurisdiction of Hawaii authorities.	E.O. 8616.....	Dec. 19, 1940	5 F.R. 5215.
Pearl Harbor (Aiea) Reservation.....	Hawaii.....		E.O. 5692.....	Aug. 24, 1931	
Pearl Harbor (Bishops Point) Reservation.....	Hawaii.....		E.O. 5613.....	Apr. 23, 1931	
Wahigawa District, Oahu Island, Radio Station.....	Hawaii.....		E.O. 9362.....	July 21, 1943	8 F.R. 10339.
Wallupe—Radio Station.....	Hawaii.....		E.O. 79 of Governor.....	Oct. 20, 1920	
Great Lakes—Training Station.....	Illinois.....		E.O. 603 of Governor.....	Jan. 24, 1934	
Martin County and White River Land Utilization Projects.....	Indiana.....		Proc. 1493.....	Nov. 4, 1918	40 Stat. 1574.
			E.O. 8910.....	Sept. 27, 1941	6 F.R. 4963.
			E.O. 9160.....	May 11, 1942	7 F.R. 3641.
			E.O. 9273.....	Nov. 18, 1942	7 F.R. 6629.
Blackstone Island—Proving Ground.....	Maryland.....		Proc. 1514.....	Mar. 4, 1919	40 Stat. 1936.
White Plains Railroad Right-of-way.....	Maryland.....		Proc. 1472.....	Aug. 7, 1918	40 Stat. 1820.
Hingham—Ammunition Depot.....	Massachusetts.....		E.O. 7138.....	Aug. 12, 1935	
Squantum—Reservation.....	Massachusetts.....		E.O. 7377.....	May 20, 1939	1 F.R. 423.
Boulder City Airport—Reservation.....	Nevada.....		E.O. 8821.....	July 10, 1941	6 F.R. 7329.
			E.O. 4531.....	Oct. 27, 1929	
Hawthorne—Ammunition Depot.....	Nevada.....	Private land claims and mineral claims within reservation.	E.O. 5664.....	July 2, 1931	
			E.O. 6823.....	Mar. 30, 1932	
			E.O. 6953.....	Feb. 4, 1935	

## § 9.5 Executive orders, covering naval reservations—Continued

Designation	State or Territory	Easement or other interest	No.	Documents affecting	
				Date	Citation
Cape May—Air Station.....	New Jersey.....		Proc. 1594.....	Dec. 2, 1918	40 Stat. 1512.
Lake Denmark—Ammunition Depot.....	New Jersey.....		Proc. 1472.....	Aug. 7, 1918	40 Stat. 1539.
Midway Islands—Reservation.....	Pacific.....		E.O. 119-A.....	Jan. 20, 1933	
Wake Island—Reservation.....	Pacific.....		E.O. 1325.....	Dec. 29, 1931	
Fort Mifflin Ammunition Depot.....	Pennsylvania.....		Proc. 1472.....	Aug. 7, 1918	40 Stat. 1520.
Philadelphia Depot of Supplies.....	Pennsylvania.....		Proc. 1472.....	Aug. 7, 1918	40 Stat. 1520.
			(E.O. 124.....	Oct. 10, 1919	
			(E.O. 5153.....	June 19, 1939	
Baguio—Reservation.....					
Canaco-Sangley Point—					
Reservation.....					
Cape Bojesador.....	Philippine Islands.....		E.O. 5153.....	June 19, 1939	
Romblon.....					
San Fernando.....					
Baguio.....					
Abuyog.....					
Cuyo.....					
Cavite—Navy Yard.....	Philippine Islands.....		E. O. 5153.....	June 19, 1939	
Cebu—Coal Depot.....	Philippine Islands.....		(E. O. ....	June 19, 1939	
			(E. O. 1215.....	June 17, 1919	
			(E. O. ....	Nov. 25, 1922	
			(E. O. 1625.....	Feb. 13, 1933	
Olongapo—Naval Station.....	Philippine Islands.....		(E. O. ....	Dec. 17, 1931	
Culebra—Reservation.....	Puerto Rico.....	Subject to private rights.....	Proc. 1570.....	Sept. 15, 1931	47 Stat. 2452.
San Geronimo—Reservation.....	Puerto Rico.....		E. O. 8575.....	Feb. 11, 1941	6 F. R. 235.
San Juan—Air Station.....	Puerto Rico.....				
Newport (Gould Island) Torpedo Sta- tion.....	Rhode Island.....		Proc. 1472.....	Aug. 7, 1918	40 Stat. 1520.
Tutuila—Naval Station.....	Samoa.....		(E. O. ....	Feb. 19, 1939	
Parris Island Marine Barracks.....	South Carolina.....		Proc. 1472.....	Aug. 7, 1918	40 Stat. 1520.
Vernal—Oil Shale Reserve.....	Utah.....		(E. O. ....	Dec. 5, 1916	
			(E. O. ....	Nov. 17, 1924	
			(E. O. ....	June 19, 1918	40 Stat. 1710.
			(Proc. 1453.....	Nov. 4, 1918	40 Stat. 1535.
Dahlgren—Proving Ground.....	Virginia.....		(E. O. 4371.....	June 29, 1927	
			(E. O. 4710.....	Sept. 12, 1927	
			(E. O. 4314.....	Feb. 24, 1923	
Norfolk—Fuel Depot.....	Virginia.....		Proc. 1570.....	June 25, 1931	40 Stat. 1674.
			(E.O. 3173.....	Nov. 25, 1919	
Norfolk—Operating Base.....	Virginia.....		(Proc. 1453.....	Nov. 4, 1918	40 Stat. 1574.
Quantico—Marine Corps Base.....	Virginia.....		(Proc. 1472.....	Aug. 7, 1918	40 Stat. 1520.
Yorktown—Mine Depot; Fuel Oil Depot.....	Virginia.....		(Proc. 1453.....	Nov. 2, 1918	40 Stat. 1553.
			(E.O. 5062.....	Apr. 29, 1931	
			(E.O. 7632.....	Feb. 21, 1936	
			(E.O. 7635.....	Aug. 5, 1937	2 F. R. 1374.
			(E.O. 7636.....	Jan. 12, 1938	3 F. R. 82.
			(E.O. 8183.....	May 2, 1939	4 F. R. 1071.
			(E.O. 8201.....	July 11, 1939	4 F. R. 2553.
			(E.O. 8203.....	Jan. 21, 1941	6 F. R. 351.
			(E.O. 8575.....	June 19, 1941	6 F. R. 2345.
			(E.O. 2545.....	June 17, 1917	
			(E.O. 2545.....	Feb. 9, 1924	
			(E.O. 634.....	July 27, 1920	5 F. R. 2259.
			(E.O. 8203.....	June 29, 1939	
			(Proc. 1453.....	Nov. 4, 1918	40 Stat. 1574.
Ediz Hook Spit—Reservation.....	Washington.....		E.O. 8572.....	Mar. 21, 1933	4 F. R. 1291.
			(E.O. ....	Apr. 29, 1915	
			(E.O. 2304.....	Aug. 18, 1932	
			(E.O. 4974.....	Mar. 17, 1927	
Bremerton—Navy Yard.....	Washington.....				
Harbor Rocks—Reservation.....	Washington.....				
North Pacific Rock—Reservation.....	Washington.....				
Casper—Petroleum Reserve.....	Wyoming.....				

JAMES FORRESTAL,  
Acting Secretary of the Navy.

[F. R. Doc. 43-15674; Filed, September 27, 1943; 9:42 a. m.]

## TITLE 43—PUBLIC LANDS: INTERIOR

## Chapter I—General Land Office

## Subchapter 2—Withdrawals, Restorations, Classifications and Executive Orders

## PART 298—PUBLIC LAND ORDERS

## [Public Land Order 168]

WITHDRAWAL OF PUBLIC LAND IN NEVADA FOR  
USE OF THE WAR DEPARTMENT FOR AIR-  
PORT PURPOSES

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, and to section 1 of the act of June 28, 1934, as amended, 48 Stat. 1269 (U.S.C., title 43, sec. 315), *It is ordered*, As follows:

Subject to valid existing rights, the following-described public land is hereby withdrawn from all forms of appropriation under the public-land laws, includ-

ing the mining and mineral-leasing laws, and reserved for the use of the War Department for airport purposes:

## MOUNT DIABLO MERIDIAN

T. 16 S., R. 56 E., sec. 8, lot 1.  
The area described contains 37.40 acres.

This order shall take precedence over, but shall not rescind or revoke, (1) the withdrawal for wildlife and other purposes made by Executive Order No. 7373 of May 20, 1936, and (2) the order of November 3, 1936, of the Secretary of the Interior, establishing Nevada Grazing District No. 5, so far as such orders affect the above-described land.

This order is subject to the following conditions:

1. The land described herein shall be used by the War Department only in connection with an auxiliary landing field, and shall not be used for bombing,

machine gunnery, aerial gunnery, or any other type of gunnery.

2. Upon the termination of the use of the land for military purposes, the Fish and Wildlife Service, Department of the Interior, in connection with the operation of the Desert Game Range, shall have the option of acquiring any buildings, structures, equipment, or other improvements placed by the War Department on the area, under a mutually satisfactory agreement to be made at that time.

The jurisdiction granted by this order shall cease at the expiration of the six months' period following the termination of the unlimited national emergency declared by Proclamation No. 2487 of May 27, 1941 (55 Stat. 1647). Thereupon, the jurisdiction over the land hereby reserved shall be vested in the Department of the Interior, and any other Depart-

ment or agency of the Federal Government, according to their respective interests then of record. The land, however, shall remain withdrawn from appropriation as herein provided until otherwise ordered.

ABE FORTAS,  
*Acting Secretary of the Interior.*

SEPTEMBER 17, 1943.

[F. R. Doc. 43-15717; Filed, September 27, 1943; 4:25 p. m.]

## TITLE 49—TRANSPORTATION AND RAILROADS

### Chapter I—Interstate Commerce Commission

[Corrected Service Order 115, Amdt. 2]

#### PART 95—CAR SERVICE

##### CARS OF FRUITS AND VEGETABLES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 25th day of September, A. D. 1943.

Upon further consideration of the provisions of Corrected Service Order No. 115 (8 F.R. 4266) of April 1, 1943, as amended (8 F.R. 6480), and it appearing that the holding of cars of fresh or green fruits or vegetables at certain points in southeastern States, and Ohio River crossings, for diversion, reconsignment, or orders is delaying unduly the use of such cars; in the opinion of the Commission an emergency exists requiring immediate action to prevent congestion of traffic and shortage of equipment: *It is ordered, That:*

Section 95.306 *Cars of fruits, and vegetables not to be held for diversion, reconsignment, or orders*, of Corrected Service Order No. 115 (8 F.R. 4266) of April 1, 1943, as amended (8 F.R. 6480) be amended by designating paragraph (a) as paragraph (a) (1), also by amending said paragraph to read as follows:

§ 95.306 *Cars of fruits and vegetables not to be held for diversion, reconsignment, or orders.* (a) (1) The operation of Agent R. H. Hoke's Tariff I.C.C. No. 660, Agent B. H. Henshall's Tariff I.C.C. No. 24, Central of Georgia Railway Company, M. P. Callaway, Trustee, Tariff I.C.C. No. 3099, The Chesapeake and Ohio Railway Company Tariff I.C.C. No. 12752, Illinois Central Railroad Company Tariff I.C.C. No. A-11390, Norfolk and Western Railway Company Tariff I.C.C. No. 9123, The Pennsylvania Railroad Company Tariff I.C.C. No.-2391, Piedmont and Northern Railway Company Tariff I.C.C. No. 228, Richmond, Fredericksburg and Potomac Railroad Company Tariff I.C.C. No. 1614, Southern Railway Company Tariff I.C.C. No. A-10944, St. Louis-San Francisco Railway Company (J. M. Kurn and Frank A. Thompson, Trustees) Tariff I.C.C. No.

11333, The Virginian Railway Company Tariff I.C.C. No. 2224, and any or all other tariffs and amendments thereto or reissues thereof, providing rules, regulations, and charges governing diversion, reconsignment, or holding for orders of cars of fresh or green fruits and vegetables, as described in said tariffs, is hereby suspended insofar as said tariffs authorize or permit shipments of such commodities originating in the States of Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia to be held at any point or points in any or all of such States or at upper or lower Ohio River crossings, for diversion, reconsignment, or holding for orders as defined in said tariffs, except as provided in (a) (2) below:

And by adding the following paragraph (a) (2) to § 95.306:

(2) Shipments held for diversion, reconsignment or holding for orders as specified in paragraph (a) (1) next above and reforwarded upon request of consignee, consignor or owner will be subject to the following basis:

The full local or joint (not proportional, reshipping or trans-shipping) rate to the reforwarding point, plus the full local or joint (not proportional, reshipping or trans-shipping) rate from the reforwarding point in effect on the date of shipment from point of origin, plus all other applicable charges previously or subsequently accruing.

(b) Each of such railroads or the agents designated above shall publish, file, and post a supplement to each of its tariffs affected hereby in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k)) announcing the suspension of any of the provisions therein and making effective the provisions of the above paragraph (a) (2).

(40 Stat. 101, Sec. 402, 41 Stat. 476, Sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

*It is further ordered, That* this order shall become effective at 12:01 a. m. October 1, 1943; that copies of this order and direction shall be served upon the above-named railroads and agents and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
*Secretary.*

[F. R. Doc. 43-15711; Filed, September 27, 1943; 11:34 a. m.]

## TITLE 50—WILDLIFE

### Chapter I—Fish and Wildlife Service

#### PART 23—SOUTHWESTERN REGION NATIONAL WILDLIFE REFUGES

##### ADMINISTRATION OF WICHITA MOUNTAINS WILDLIFE REFUGE, OKLAHOMA

Under authority of section 10 of the Act of February 18, 1929 (45 Stat. 1222), and section 84 of the Act of March 4, 1909, as amended by the Act of April 15, 1924, 43 Stat. 98, *It is hereby ordered:*

§ 23.967 *Wichita Mountains Wildlife Refuge, Oklahoma*—(a) *General regulations.* The general regulations of the Secretary of Agriculture, dated December 2, 1936 (1 F.R. 2080), for the administration of the Wichita Mountains Wildlife Refuge are hereby revoked.

(b) The Wichita Mountains Wildlife Refuge hereafter shall be administered under the provisions of the general Regulations for the Administration of National Wildlife Refuges under the Jurisdiction of the Fish and Wildlife Service approved by the Acting Secretary of the Interior under date of December 10, 1940 (5 F.R. 5284; 50 CFR 12).

(c) *Fishing.* Fish may be taken for noncommercial purposes from designated reservoirs or lakes of the Wichita Mountains Wildlife Refuge in accordance with the laws and regulations of the State of Oklahoma during such times, in such numbers, and in such manner as the Director of the Fish and Wildlife Service may from time to time determine to be appropriate, except that no live minnows, fish, or frogs may be captured by seining, netting, or otherwise in the waters of the refuge for use as bait, and no person may have in his possession within the boundaries of the refuge any seine or net that may be used in capturing such minnows or other live bait from said waters; and no person shall have in his possession on the refuge or use any live carp minnows for bait in fishing in the waters of the refuge.

OSCAR L. CHAPMAN,  
*Assistant Secretary of the Interior.*  
SEPTEMBER 20, 1943.

[F. R. Doc. 43-15716; Filed, September 27, 1943; 4:25 p. m.]

## Notices

### FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6550]

MUNICIPAL POLICE, ORLANDO, FLA.  
(WPHM)

#### NOTICE OF HEARING

In re application of City of Orlando, Florida (WPHM); Date filed, May 21, 1943; For construction permit for three additional portable-mobile units; class of service, Emergency; class of station,

Municipal Police; location, Orlando, Florida; operating assignment specified: Frequency, 33,500 kc; Power, 15 watts—emission A-3; Hours of Operation Unlimited.

You are hereby notified that the Commission has examined the above-described application and has designated the matter for hearing for the following reasons:

1. To determine whether or not operation of the proposed station would serve an essential military need or a vital public need which cannot otherwise be met.

2. To determine whether, in the light of evidence adduced on the foregoing issue, public interest, convenience, or necessity would be served by granting the application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: City of Orlando, Florida, Attention: J. C. Stone, Chief of Police, Orlando, Florida.

Dated at Washington, D. C., September 25, 1943.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 43-15763; Filed, September 28, 1943; 9:56 a. m.]

## INTERSTATE COMMERCE COMMISSION.

[Special Permit 80 Under Service Order 133]

### SOUTHERN PACIFIC CO.

#### ICING OR REICING OF VEGETABLES

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.313, 8 F.R. 8554) of Service Order No. 133, of June 19, 1943, as amended (8 F.R. 9728-29, 10941-42, 11389, 12100, 12350), permission is granted for:

The Southern Pacific Company to retop ice, but not to exceed 15,000 pounds, WEX 65325 containing carrots from Elbert D. Ball, Ontario, California, consigned to Fort Worth, Texas.

The waybill shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Rail-

roads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 9th day of August 1943.

HOMER C. KING,  
Director, Bureau of Service.

[F. R. Doc. 43-15703; Filed, September 27, 1943; 11:02 a. m.]

[Special Permit 81 Under Service Order 133]

### COMMON CARRIERS BY RAILROAD

#### ICING OR REICING OF VEGETABLES

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.313, 8 F.R. 8554) of Service Order No. 133, of June 19, 1943, as amended (8 F.R. 9728-29, 10941-42, 11389, 12100, 12350), permission is granted for:

The Atchison, Topeka and Santa Fe Railway Company, The Texas and Pacific Railway Company, the Louisville and Nashville Railroad Company, or the Seaboard Air Line Railway Company (L. R. Powell, Jr., and Henry W. Anderson, Receivers) to retop ice, but not to exceed 15,000 pounds, at Fort Worth, Texas, SFRD 25153 containing celery from William S. Wright, Los Angeles, California, consigned to Sales Officer, Camp Commissary, Army Aviation Flying Training Camp, Miami, Florida; also for The Atchison, Topeka and Santa Fe Railway Company, The Texas and Pacific Railway Company, the Missouri Pacific Railroad Company (Guy A. Thompson, Trustee), The Nashville, Chattanooga & St. Louis Railway, the Georgia Railroad & Banking Company, the Georgia Railroad by Lessees: Atlantic Coast Line Railroad Company, Louisville and Nashville Railroad Company, or the Atlantic Coast Line Railroad Company to retop ice, but not to exceed 15,000 pounds, at Fort Worth, Texas, SFRD 21556 containing celery from William S. Wright, Los Angeles, California, consigned to Supply Officer in Command, Camp Davis, Holly Ridge, North Carolina; also for The Atchison, Topeka and Santa Fe Railway Company, The Texas and Pacific Railway Company, The Yazoo and Mississippi Valley Railroad Company, or the Southern Railway Company to retop ice, but not to exceed 15,000 pounds, at Fort Worth, Texas, SFRD 33158 containing celery from William S. Wright, Los Angeles, California, consigned to Accountable Officer, Assembly and Distribution Point, United States Army, Columbus, Georgia; also for the Southern Pacific Company (the Texas and New Orleans Railroad Company), or the Illinois Central Railroad Company to retop ice, but not to exceed 20,000 pounds, at San Antonio, Texas, PFE 15913 containing lettuce from Ralph E. Myers Company, Salinas, California, consigned to Quartermaster Supply Officer, Quartermaster Market Center, Assembly and Distributing Point, New Orleans, Louisi-

ana; also for the Southern Pacific Company, the Union Pacific Railroad Company, or the Missouri Pacific Railroad Company (Guy A. Thompson, Trustee) to retop ice at Kansas City, Kansas-Missouri, PFE 94412 containing lettuce shipped by Mill Packing Company, Salinas, California, consigned to Potomac Yards Distributing Point, Alexandria, Virginia, in error, and ordered diverted to Quartermaster Corps Assembly and Distributing Point, Alexandria, Louisiana; also for the Southern Pacific Company (the Texas and New Orleans Railroad Company) to accord one additional retop icing in transit to PFE 31412 containing carrots from Elbert D. Ball, Ontario, California, ordered to Los Angeles, California, and diverted to Leon G. Tujague, New Orleans, Louisiana.

The waybills shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of August 1943.

HOMER C. KING,  
Director, Bureau of Service.

[F. R. Doc. 43-15704; Filed, September 27, 1943; 11:02 a. m.]

[Special Permit 83 Under Service Order 133]

### MISSOURI PACIFIC RAILROAD CO.

#### ICING OR REICING OF VEGETABLES

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.313, 8 F.R. 8554) of Service Order No. 133, of June 19, 1943, as amended (8 F.R. 9728-29, 10941-42, 11389, 12100, 12350), permission is granted for:

The Missouri Pacific Railroad Company (Guy A. Thompson, Trustee) to top ice ART 22899 containing peas and beans, but not in excess of 4,000 pounds of ice, from Twin Mountain Produce Company, Monte Vista, Colorado, consigned to United Fruit and Produce Company, St. Louis, Missouri.

The waybill shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with

the Director, Division of the Federal Register, The National Archives.

Issued at Washington, D. C., this 31st day of August 1943.

HOMER C. KING,  
Director, Bureau of Service.

[F. R. Doc. 43-15705; Filed, September 27, 1943; 11:02 a. m.]

[Special Permit 92 Under Service Order 133]

#### MISSOURI PACIFIC RAILROAD CO.

##### ICING OR REICING OF VEGETABLES

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.313, 8 F.R. 8554) of Service Order No. 133, of June 19, 1943, as amended (8 F.R. 9728-29, 10941-42, 11389, 12100, 12350), permission is granted for:

The Missouri Pacific Railroad Company (Guy A. Thompson, Trustee) to accord one top icing to NRC 4012 containing lettuce from S. A. Gerrard, Guadalupe, California, consigned to Rudin Distributing Company, St. Louis, Missouri; PFE 90241 containing lettuce from Mountain Produce Company, Gransley, Colorado, consigned to United Fruit and Produce Company, St. Louis, Missouri; ART 15643 containing cauliflower and broccoli from T. E. Cook Produce Company, Canon City, Colorado, consigned to Rudin Distributing Company, St. Louis, Missouri; ART 19043 containing cauliflower from George Russ and Company, Alamosa, Colorado, consigned to L. Gillarde, St. Louis, Missouri; ART 17975 containing cauliflower from William L. Thompson Company, San Acacio, Colorado, consigned to L. Gillarde Company, St. Louis, Missouri; ART 21958 containing cauliflower from Atlantic Commission Company, San Acacio, Colorado, consigned to United Fruit and Produce Company, St. Louis, Missouri; ART 21200 containing cauliflower from William L. Thompson Company, McClintock, Colorado, consigned to United Fruit and Produce Company, St. Louis, Missouri; and ART 21070 containing green peas from William L. Thompson Company, La Jara, Colorado, consigned to United Fruit and Produce Company, Chicago, Illinois; also for the Chicago, Burlington & Quincy Railroad Company to accord one top icing to ART 22006 containing cauliflower from Rocky Mountain Produce Company, Antonito, Colorado, consigned to Wesco Foods Company, St. Louis, Missouri.

The waybills shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, The National Archives.

Issued at Washington, D. C., this 7th day of September 1943.

HOMER C. KING,  
Director, Bureau of Service.

[F. R. Doc. 43-15706; Filed, September 27, 1943; 11:02 a. m.]

[Special Permit 26 Under Service Order 126]

#### LONG ISLAND RAIL ROAD CO.

##### ICING OR REICING OF VEGETABLES

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.308, 8 F.R. 7285) of service Order No. 126 of May 29, 1943, as amended (8 F.R. 7728, 8082, 9033, 11089), permission is granted for:

The Long Island Rail Road Company to accept for transportation and move 10 refrigerator cars containing potatoes shipped by I. M. Young and Company from the Riverhead, Long Island, area; also 10 refrigerator cars containing potatoes shipped by the H. A. Pollack Company from the Hicksville, Long Island, area; also 5 refrigerator cars containing potatoes shipped by the Meyer Heller Company, (Patchogue, New York) from the Hicksville, Long Island, area. All cars are consigned to the Accountable Officer, QMMC, New Orleans, Louisiana. The Pennsylvania Railroad Company to initially ice with no more than enough ice to bring the bunkers to  $\frac{3}{4}$  capacity at Potomac Yards, Virginia. And for the Southern Railway Company to reice with no more than enough ice to bring the bunkers to  $\frac{3}{4}$  capacity at Atlanta, Georgia.

The waybills shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of September 1943.

HOMER C. KING,  
Director, Bureau of Service.

[F. R. Doc. 43-15768; Filed, September 28, 1943; 11:04 a. m.]

[Special Permit 78 Under Service Order 133]

#### COMMON CARRIERS BY RAILROAD

##### ICING OR REICING OF VEGETABLES

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.313, 8 F.R. 8554) of Service Order No. 133, of June 19, 1943, as amended (8 F.R. 9728-29, 10941-42, 11389, 12100, 12350), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To retop ice at Council Bluffs, Iowa, PFE 52159 containing lettuce from R. E. Myers, Salinas, California, consigned to Tassini and Salisch, New York, New York.

To retop ice at Denver, Colorado, and East Peoria, Illinois, PFE 33931 containing lettuce from Farley Fruit Company, Salinas, California, consigned to Angelo Fruit Company, Boston, Massachusetts.

To retop ice at Kansas City, Kansas-Missouri, PFE 90280 containing carrots from

Major Distributors, Salinas, California, consigned to L. Friedlander, Cincinnati, Ohio.

To retop ice at El Paso, Texas, PFE 60249 containing carrots from L. Tervon, Salinas, California, consigned to Quartermaster, Marine Corps, New Orleans, Louisiana.

To retop ice at Laramie, Wyoming, SFED 3005 containing lettuce from S. V. V. X., Salinas, California, consigned to Zimmerman Brothers, Chicago, Illinois.

To retop ice at Council Bluffs, Iowa, PFE 94756 containing lettuce from S. V. V. X., Salinas, California, consigned to Tassini and Salisch, New York, New York.

To retop ice at Laramie, Wyoming, and Chicago, Illinois, PFE 34932 containing lettuce from S. V. V. X., Salinas, California, consigned to H. Franzblau, Detroit, Michigan.

To retop ice at Laramie, Wyoming, PFE 93466 containing lettuce from S. V. V. X., Salinas, California, consigned to Schoenburger Price Company, Chicago, Illinois.

To retop ice at Laramie, Wyoming, and Chicago, Illinois, PFE 95858 containing lettuce from Atlantic Commission, Salinas, California, consigned to Great Atlantic and Pacific Tea Company, Pittsburgh, Pennsylvania.

To retop ice at Laramie, Wyoming, and Chicago, Illinois, URTX 95540 containing lettuce from S. V. V. X., Salinas, California, consigned to F. F. Schafer, Buffalo, New York.

To retop ice at El Paso, Texas, ART 17638 containing lettuce from S. V. V. X., Salinas, California, consigned to Merchants Produce, Dallas, Texas.

To retop ice at Council Bluffs, Iowa, PFE 73628 containing lettuce from S. V. V. X., Salinas, California, consigned to W. A. Soper Company, Flint, Michigan.

To retop ice at Council Bluffs, Iowa, PFE 27447 containing lettuce from S. V. V. X., Salinas, California, consigned to American Stores, Philadelphia, Pennsylvania.

To retop ice at Laramie, Wyoming, PFE 52271 containing lettuce from S. V. V. X., Salinas, California, consigned to H. Jacobson, Chicago, Illinois.

To retop ice at Council Bluffs, Iowa, PFE 35087 containing lettuce from S. V. V. X., Salinas, California, consigned to American Stores, Philadelphia, Pennsylvania.

To retop ice at Laramie, Wyoming, PFE 23225 containing lettuce from S. V. V. X., Salinas, California, consigned to Justman and Company, New York, New York.

To retop ice at Laramie, Wyoming, PFE 24039 containing lettuce from Farley Fruit Company, Salinas, California, consigned to J. Robinson Fruit Company, Omaha, Nebraska.

To retop ice at Laramie, Wyoming, PFE 40543 containing lettuce from Farley Fruit Company, Salinas, California, consigned to W. A. White Brokerage, Minneapolis, Minnesota.

To retop ice at Kansas City, Kansas-Missouri, PFE 91940 containing lettuce from R. E. Myers, Salinas, California, consigned to R. E. Myers, Chicago, Illinois.

To retop ice at Laramie, Wyoming, MDT 18717 containing lettuce from R. E. Myers, Salinas, California, consigned to G. E. Coe and Company, Springfield, Illinois.

To retop ice at Laramie, Wyoming, MDT 4052 containing carrots from R. E. Myers, Salinas, California, consigned to Schoenburger Price Company, Chicago, Illinois.

To retop ice at Kansas City, Kansas-Missouri, PFE 90434 containing lettuce from R. E. Myers, Salinas, California, consigned to Battistini Brothers, Chicago, Illinois.

To retop ice at Laramie, Wyoming, PFE 71686 containing lettuce from V. Edmonds, Salinas, California, consigned to Sales Officer, Smolan, Kansas.



To retop ice at Laramie, Wyoming, PFE 98414 containing carrots from Holmes and Seifert, Salinas, California, consigned to Justmas Company, New York, New York.

To retop ice at Council Bluffs, Iowa, PFE 32381 containing carrots from Major Distributors, Salinas, California, consigned to Carbone Brothers, New York, New York.

To retop ice at Kansas City, Kansas-Missouri, PFE 76393, containing carrots from Major Distributors, Salinas, California, consigned to L. Albertson Company, Boston, Massachusetts.

To retop ice at Pueblo, Colorado, MDT 18471 containing lettuce from California Farm Producers, Salinas, California, consigned to Lamantia Brothers and Arrigo Brothers, both at Chicago, Illinois.

To retop ice at Laramie, Wyoming, and Kansas City, Kansas-Missouri, SP 24144 containing lettuce from Atlantic Commission, Eaton, California, consigned to Atlantic Commission, Detroit, Michigan.

To retop ice at Kansas City, Kansas-Missouri, PFE 76260 containing lettuce from Eaton Company, Eaton, California, consigned to QMC Market Center, Columbus, Georgia.

To retop ice at Kansas City, Kansas-Missouri, PFE 43891 containing lettuce from Sears Brothers, Watsonville Junction, California, consigned to C. Heitmiller, Washington, D. C.

To retop ice at Blue Island, Illinois, PFE 17551 containing lettuce from Sears Brothers, Watsonville Junction, California, consigned to Eichenbaum, New York, New York.

To retop ice at Blue Island, Illinois, PFE 90413 containing lettuce from Sears Brothers, Watsonville Junction, California, consigned to Gentile Brothers, Cincinnati, Ohio.

To retop ice at Laramie, Wyoming, and Chicago, Illinois, NADX 12837 containing lettuce from Atlantic Commission, Watsonville Junction, California, consigned to Great Atlantic and Pacific Tea Company, Somerville.

To retop ice at Kansas City, Kansas-Missouri, and Memphis MDT 4047 containing carrots from Pacific Coast Fruit Distributors, Tranquility, California, consigned to Pacific Coast Fruit Distributors, Chicago, Illinois.

To retop ice at Laramie, Wyoming, and Council Bluffs, Iowa, PFE 75759 containing lettuce from A. Areal, Salinas, California, consigned to Grand Union Company, Rutherford, New Jersey.

To retop ice at Laramie, Wyoming, PFE 23869 containing lettuce from Sears Brothers, Watsonville Junction, California, consigned to Wesco Foods, Cleveland, Ohio.

To retop ice at El Paso, Texas, PFE 93186 containing lettuce from H. E. Tabb, Oceano, California, consigned to Sales Officer, Camp Mafey.

To retop ice at El Paso, Texas, PFE 36488 containing lettuce from California Vegetable Growers, Guadalupe, California, consigned to Guggenheim and Goldsmith, San Antonio, Texas.

To retop ice at Fort Worth, Texas, PFE 42131 containing lettuce from California Vegetable Growers, Guadalupe, California, consigned to Exchange Distributing Company, Birmingham, Alabama.

To retop ice at Fort Worth, Texas, PFE 90586 containing lettuce from California Vegetable Growers, Guadalupe, California, consigned to Louis Darringa Brokerage, Birmingham, Alabama.

To retop ice at El Paso, Texas, PFE 75467 containing lettuce from California Vegetable Growers, Guadalupe, California, consigned to Sales Officer, Camp Swift.

To retop ice at El Paso, Texas, PFE 50974 containing lettuce from Bonita Packing

Company, Guadalupe, California, consigned to Sidney Myers, Houston, Texas.

To retop ice at El Paso, Texas, PFE 92195 containing lettuce from Rosemary Packing Company, Santa Maria, California, consigned to Rosemary Packing Company, El Paso, Texas.

To retop ice at Fort Worth, Texas, PFE 26056 containing lettuce from Williams Farms, Lompoc, California, consigned to Freebier Produce Company, Winston-Salem, North Carolina.

To retop ice at San Antonio, Texas, PFE 95465 containing lettuce from Williams Farms, Lompoc, California, consigned to Green and Milan, Atlanta, Georgia.

To retop ice at Laramie, Wyoming, PFE 44721 containing lettuce from California Vegetable Growers, Guadalupe, California, consigned to East West Produce Company, Oklahoma City, Oklahoma.

The waybills shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of August 1943.

HOMER C. KING,  
Director, Bureau of Service.

[F. R. Doc. 43-15769; Filed, September 23, 1943; 11:04 a. m.]

[Special Permit 93 Under Service Order 133]

THE ATCHISON, TOPEKA AND SANTA FE  
RAILWAY CO., ET AL

ICING OR REICING OF VEGETABLES

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.313, 8 F.R. 8554) of Service Order No. 133, of June 19, 1943, as amended (8 F.R. 9728-29, 10941-42, 11389, 12100, 12350), permission is granted for:

The Atchison, Topeka and Santa Fe Railway Company, The Texas and Pacific Railway Company, or The Kansas City Southern Railway Company to retop ice at Fort Worth, Texas, but not to exceed 5,000 pounds, PFE 61304 containing celery from Associated Fruit Distributors, consigned to Camp Polk, Leesville, Louisiana; also for the Southern Pacific Company, The Texas and Pacific Railway Company, or the Illinois Central Railroad Company to retop ice at Fort Worth, Texas, but not to exceed 15,000 pounds, PFE 31746 containing celery from G. B. Jackson, Home Junction, California, consigned to Sales Officer, Field Commissary, Camp Harahan, Louisiana.

The waybills shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of

the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 4th day of September 1943.

HOMER C. KING,  
Director, Bureau of Service.

[F. R. Doc. 43-15770; Filed, September 23, 1943; 11:04 a. m.]

[Special Permit 94 Under Service Order 133]

COMMON CARRIERS BY RAILROAD

ICING OR REICING OF VEGETABLES

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.313, 8 F.R. 8554) of Service Order No. 133, of June 19, 1943, as amended (8 F.R. 9728-29, 10941-42, 11389, 12100, 12350), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To top ice, but not to exceed two tons of top ice, ART 18043 containing cauliflower consigned to United Fruit and Produce Company, St. Louis, Missouri, from George Russo and Company, Alamosa, Colorado.

The waybill shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 8th day of September 1943.

HOMER C. KING,  
Director, Bureau of Service.

[F. R. Doc. 43-15771; Filed, September 23, 1943; 11:04 a. m.]

[Special Permit 95 Under Service Order 133]

COMMON CARRIER BY RAILROAD

ICING AND REICING OF VEGETABLES

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.313, 8 F.R. 8554) of Service Order No. 133, of June 19, 1943, as amended (8 F.R. 9728-29; 8 F.R. 10941-42; 8 F.R. 11389; 8 F.R. 12100; 8 F.R. 12350), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To retop ice, but not to exceed 15,000 pounds, at Belen, New Mexico, and Peoria,

Illinois, SFRD 32873 containing celery from Associated Fruit Distributors, Los Angeles, California, consigned to Accountable Officer, Assembly and Distribution Point, Quartermaster Market Center, Union Terminal Cold Storage, Jersey City, New Jersey.

To retop ice, but not to exceed 20,000 pounds, at Kansas City, Kansas-Missouri, PFE 36708 containing lettuce from Icekist Packing Company, Salinas, California, consigned to Accountable Officer, Quartermaster Market Center and Distributing Point, Alexandria, Louisiana.

The waybills shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register,

Issued at Washington, D. C. this 8th day of September, 1943.

HOMER C. KING,  
Director, Bureau of Service.

[F. R. Doc. 43-15772; Filed, September 28, 1943; 11:04 a. m.]

[Special Permit 104 Under Service Order 133]

COMMON CARRIERS BY RAILROAD  
ICING AND REICING OF VEGETABLES

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.313, 8 F.R. 8554) of Service Order No. 133, of June 19, 1943, as amended (8 F.R. 9728-29; 8 F.R. 10941-42; 8 F.R. 11389; 8 F.R. 12100; 8 F.R. 12350), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord one full bunker reicing to MDT 18369 containing lettuce from H. P. Garrin Company, Hollister, California, and, if necessary, to retop ice at Laramie, Wyoming.

The waybill shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of September 1943.

HOMER C. KING,  
Director, Bureau of Service.

[F. R. Doc. 43-15773; Filed, September 28, 1943; 11:04 a. m.]

[Special Permit 4 Under Service Order 147, Amdt. 5]

COMMON CARRIERS BY RAILROAD  
ICING OR REICING OF FRUITS

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.317, 8 F.R. 11390) of Service Order No. 147 of August 13, 1943, as amended (8 F.R. 12518), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of paragraphs (a) and (b) of § 95.317 insofar as they apply to refrigerator cars loaded with fresh or green fruits, melons, or vegetables originating at any point or points in Arizona, or California, waybilled on or after September 1, 1943, or from Utah, waybilled on or after September 10, 1943, or from New Mexico, waybilled on or after September 22, 1943.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 22d day of September 1943.

HOMER C. KING,  
Director, Bureau of Service.

[F. R. Doc. 43-15765; Filed, September 28, 1943; 11:04 a. m.]

[Special Permit 11 Under Service Order 147]

COMMON CARRIERS BY RAILROAD  
ICING OR REICING OF FRUITS

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.317, 8 F.R. 11390) of Service Order No. 147 of August 13, 1943, as amended (8 F.R. 12518), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice to full bunker capacity PFE 92391 containing pears from Colfax, California, consigned United States Army, Fort Bragg, North Carolina.

To reice to full bunker capacity ART 17716 containing pears from Placerville, California, consigned United States Army, Columbus, Georgia.

To reice to full bunker capacity ART 21534 containing pears from Placerville, California, consigned United States Army, Camp Forest, Tennessee.

To reice to full bunker capacity PFE 95236 and MDT 19886 containing pears from Placerville, California, consigned United States Army, Tampa, Florida.

To reice to full bunker capacity PFE 15644 containing pears from Colfax, California,

consigned United States Army, Columbus, Georgia.

To reice to full bunker capacity PFE 74690 containing pears consigned United States Army, Camp Stewart, Georgia.

The waybills shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 30th day of August 1943.

HOMER C. KING,  
Director, Bureau of Service.

[F. R. Doc. 43-15766; Filed, September 28, 1943; 11:04 a. m.]

[Special Permit 13 Under Service Order 147]

COMMON CARRIERS BY RAILROAD  
ICING OR REICING OF FRUITS

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.317, 8 F.R. 11390) of Service Order No. 147 of August 13, 1943, as amended (8 F.R. 12518), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice to full bunker capacity PFE 43450 containing pears from Placerville, California, consigned Sales Officer, United States Army, Camp Gordon, Georgia.

To reice to full bunker capacity PFE 44207 containing pears from Colfax, California, consigned Sales Officer, United States Army, Fort Bragg, North Carolina.

To reice to full bunker capacity SFRD 38062 containing grapes from Sanger, California, consigned Commissary Officer, United States Army, Fort McClellan, Alabama.

The waybills shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 31st day of August 1943.

HOMER C. KING,  
Director, Bureau of Service.

[F. R. Doc. 43-15767; Filed, September 28, 1943; 11:04 a. m.]

## OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 1978]

MARTHA RADDATZ

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Martha Raddatz is Marion Strasse 33, Kolberg, Pommern, Germany, and that she is a resident of Germany and a national of a designated enemy country (Germany);

2. That Martha Raddatz is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. The undivided one-fourth interest, identified as the interest which was distributed to Martha Raddatz in the Matter of the Estate of Ernestine Luedke Buermann, deceased, in and to each and all of the following parcels of real property, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such interest,

(i) That certain real property situated in Multnomah County, Oregon, particularly described as Lots 2 and 3, Block 9, Central Addition to Portland, in the City of Portland, Oregon,

(ii) That certain real property situated in Multnomah County, Oregon, particularly described as Lot 6, Block 28, Rossmore Addition to Portland, in the City of Portland, Oregon,

(iii) That certain real property situated in Multnomah County, Oregon, particularly described as Lot 9, Block 5, Tilton's Addition to Portland, in the City of Portland, Oregon,

(iv) That certain real property situated in Clackamas County, Oregon, particularly described as part of Blocks E and F, First Addition to Jennings Lodge, consisting of approximately 5 acres, in Jennings Lodge, Oregon,

b. All right, title, interest and claim of Martha Raddatz in and to the sum of \$500.00, constituting a portion of a certain bank account in the United States National Bank of Portland, Portland, Oregon, which is due and owing to, and held for Martha Raddatz, in the name of the Estate of Ernestine Luedke Buermann by Anna Junor, Executrix, including but not limited to all security rights in and to any and all collateral for any or all of such portion of the account, and the right to enforce and collect the same,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraph 3-b is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this Order) pursuant to Section 2 of said Executive Order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

Hereby vests in the Alien Property Custodian the property described above, subject to recorded liens, encumbrances

and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 10, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-15684; Filed, September 27, 1943; 10:47 a. m.]

[Vesting Order 2027]

CARL KURTZ-HAHNLE, ET AL.

Re: Interests of Carl Kurtz-Hahnle, Hans Kurtz, and the F. Oberdorfer G. m. b. H., nationals of Germany, in contracts between them and The Lindsay Wire Weaving Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That F. Oberdorfer G. m. b. H. is a corporation organized under the laws of and having its principal place of business in Germany and is therefore a national of a foreign country (Germany);

2. That Carl Kurtz-Hahnle and Hans Kurtz are residents of Germany and are therefore nationals of a foreign country (Germany);

3. That the property identified in subparagraph 5a hereof is property of F. Oberdorfer G. m. b. H.;

4. That the property identified in subparagraph 5b hereof is property of Carl Kurtz-Hahnle and Hans Kurtz;

5. That the property described as follows:

(a) Property identified in Exhibit A attached hereto and made a part hereof;

(b) Property identified in Exhibit B attached hereto and made a part hereof;

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held

therein by, nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

Hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 25, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

## EXHIBIT A

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in F. Oberdorfer G. m. b. H. by virtue of an agreement executed November 30, 1934 and December 18, 1934 (including all modifications thereof and supplemental thereto, if any) by and between said F. Oberdorfer G. m. b. H. and The Lindsay Wire Weaving Company, which agreement relates among other things, to Patent No. 1,955,517.

## EXHIBIT B

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Carl Kurtz-Hahnle and Hans Kurtz, and each of them, by virtue of an agreement dated September 23, 1927 (including all modifications thereof and supplements thereto, if any) by and between said Carl Kurtz-Hahnle and Hans Kurtz and The Lindsay Wire Weaving Company, which agreement relates, among other things, to Patent No. 1,624,049.

[F. R. Doc. 43-15685; Filed, September 27, 1943; 10:47 a. m.]

[Vesting Order 2028]

N. V. INTERNATIONALE OXYGENIUM  
MAATSCHAPPIJ NOVADDEL

Re: Interest of N. V. Internationale Oxygenium Maatschappij Novadel in an agreement with The Brown Instrument Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That N. V. Internationale Oxygenium Maatschappij Novadel is a business organization organized under the laws of the Netherlands and is a national of a foreign country (the Netherlands);

2. That the property identified in subparagraph 3 hereof is property of N. V. Internationale Oxygenium Maatschappij Novadel;

3. That the property described as follows: All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in N. V. Internationale Oxygenium Maatschappij Novadel by virtue of an agreement dated December 19, 1929 (including all modifications thereof and supplements thereto, if any) by and between N. V. Internationale Oxygenium Maatschappij Novadel and The Brown Instrument Company, which agreement relates, among other things, to United States Letters Patent No. 1,834,987.

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (the Netherlands);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

Hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 25, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-15686; Filed, September 27, 1943; 10:47 a. m.]

[Vesting Order 2030]

## ORKLA GRUBE AKTIEBOLAG, ET AL.

Re: Interest of Orkla Grube Aktiebolag and Nils Erik Lenander in an agreement with Texas Gulf Sulphur Company, Inc. and Patentaktiebolaget Grondal-Ramen.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Orkla Grube Aktiebolag is a business organization organized under the laws of Norway and is a national of a foreign country (Norway);

2. That Nils Erik Lenander is a resident of Norway and is a national of a foreign country (Norway);

3. That the property described in subparagraph 4 hereof is property of Orkla Grube Aktiebolag and Nils Erik Lenander;

4. That the property identified as follows: Property described in Exhibit A attached hereto and made a part hereof,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Norway);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

Hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an

admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 25, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

EXHIBIT A

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Orkla Grube Aktiebolag and Nils Erik Lenander, and each of them, by virtue of an agreement dated July 16, 1930 executed by Patentaktiebolaget Grondal-Ramen, Orkla Grube Aktiebolag, Nils Erik Lenander and Texas Gulf Sulphur Company (including all modifications thereof and supplements thereto, including but without limitation, a letter dated March 17, 1932 to Nils E. Lenander from Orkla Grube Aktiebolag and Texas Gulf Sulphur Company; a letter dated March 31, 1932 to Texas Gulf Sulphur Company from Patentaktiebolaget Grondal-Ramen; and a letter dated March 31, 1932 to Texas Gulf Sulphur Company from Orkla Grube Aktiebolag and N. E. Lenander), which agreement, as modified and supplemented, relates among other things to United States Letters Patent Nos. 1,850,557, 1,860,585, 1,862,899, 1,904,481, 1,904,482, 1,904,483 and 1,969,021.

[F. R. Doc. 43-15688; Filed, September 27, 1943; 10:47 a. m.]

[Vesting Order 2031]

JUNKERS FLUGZEUG-UND-MOTORENWERKE  
A. G.

Re: Interests of Junkers Flugzeug-und-Motorenwerke A. G. in Contracts with Boeing Aircraft Co., and others.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Junkers Flugzeug-und-Motorenwerke A. G. is a corporation organized under the laws of and having its principal place of business in Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Junkers Flugzeug-und-Motorenwerke A. G.;

3. That the property described as follows: Property described in Exhibit A attached hereto and made a part hereof,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

Hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the in-

terest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 25, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

#### EXHIBIT A

(a) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Letters Patent:

Patent Number, Date of Issue, Inventor, and Title

1,553,695, 9-15-25, Hugo Junkers, Flying-machine Covering.

1,674,546, 6-19-28, Anton Flettner, Balancing of Aircraft.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Junkers Flugzeug-und-Motorenwerke, A. G. by virtue of an agreement dated March 10, 1938 (including all modifications thereof and supplements thereto, if any) by and between Junkers Flugzeug-und-Motorenwerke, A. G. and Boeing Aircraft Company, which agreement relates, among other things, to United States Letters Patent No. 1,553,695.

(c) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Junkers Flugzeug-und-Motorenwerke, A. G. by virtue of an agreement dated March 10, 1938 (including all modifications thereof and supplements thereto, if any) by and between Junkers Flugzeug-und-Motorenwerke, A. G. and Boeing Aircraft Company, which agreement relates, among other things, to United States Letters Patent No. 1,553,695.

(d) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Junkers Flugzeug-und-Motorenwerke, A. G. by virtue of an agreement dated March 10, 1938 (including all modifications thereof and supplements thereto, if any) by and between Junkers Flugzeug-und-Motorenwerke, A. G. and Lockheed Aircraft Corporation, which agreement relates, among other things, to United States Letters Patent No. 1,553,695.

hereinafter described, together with the right to sue therefor) created in Junkers Flugzeug-und-Motorenwerke, A. G. by virtue of an agreement dated March 10, 1938 (including all modifications thereof and supplements thereto, if any) by and between Junkers Flugzeug-und-Motorenwerke, A. G. and Curtis-Wright Corporation, which agreement relates, among other things, to United States Letters Patent No. 1,553,695.

(e) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Junkers Flugzeug-und-Motorenwerke, A. G. by virtue of an agreement dated March 10, 1938 (including all modifications thereof and supplements thereto, if any) by and between Junkers Flugzeug-und-Motorenwerke, A. G. and United Aircraft Corporation, which agreement relates, among other things, to United States Letters Patent No. 1,553,695.

(f) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Junkers Flugzeug-und-Motorenwerke, A. G. by virtue of an agreement dated March 10, 1938 (including all modifications thereof and supplements thereto, if any) by and between Junkers Flugzeug-und-Motorenwerke, A. G. and Lockheed Aircraft Corporation, which agreement relates, among other things, to United States Letters Patent No. 1,553,695.

(g) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Junkers Flugzeug-und-Motorenwerke, A. G. by virtue of an agreement dated March 10, 1938 (including all modifications thereof and supplements thereto, if any) by and between Junkers Flugzeug-und-Motorenwerke, A. G. and Fairchild Engine and Airplane Corporation, which agreement relates, among other things, to United States Letters Patent No. 1,553,695.

(h) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Junkers Flugzeug-und-Motorenwerke, A. G. by virtue of an agreement dated March 10, 1938 (including all modifications thereof and supplements thereto, if any) by and between Junkers Flugzeug-und-Motorenwerke, A. G. and Douglas Aircraft Company, Inc., which agreement relates, among other things, to United States Letters Patent No. 1,553,695.

[F. R. Doc. 43-15689; Filed, September 27, 1943; 10:48 a.m.]

#### [Vesting Order 2032]

#### LES USINES DE MELLE, ET AL.

Re: Patents of Les Usines de Melle and Interests in an Agreement with U. S. Industrial Alcohol Co. Relating to Patent Number 1,912,010.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Les Usines de Melle is a corporation organized under laws of and having its principal place of business in France and

is therefore a national of a foreign country (France);

2. That the property identified in subparagraph 3 hereof is property of Les Usines de Melle;

3. That the property described as follows:

(a) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the patents identified in Exhibit A attached hereto and made a part hereof.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Distilleries des Deux-Sevres S. A. by virtue of an agreement dated December 1, 1928 (including all modifications thereof or supplements thereto, if any) by and between Distilleries des Deux-Sevres S. A. and U. S. Industrial Alcohol Co., relating, among others, to patent number 1,912,010, issued May 30, 1933, inventor E. Ricard et al., for Direct Rectifying Process and Apparatus for Production of Pure Alcohol,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (France);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

Hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 25, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.



Patents identified as follows:

## EXHIBIT A

Patent No.	Date	Inventor	Title
1,739,010	12/17/29	E. Ricard et al.	Process for the manufacture of furfuryl alcohol & methylfuran.
1,745,028	1/28/30	E. Ricard	Process of conversion of gaseous aliphatic ethylene carbides into liquid carbides.
1,839,594	1/5/32	E. Ricard et al.	Continuous process for manufacture of acetic acid in the concentrated state, etc.
1,839,932	1/5/32	E. Ricard et al.	Manufacture of anhydrous acetic acid.
1,850,836	3/22/32	H. Guinot	Process for the manufacture of acetal.
1,852,083	4/5/32	E. Ricard	Manufacture of butyl chlorides.
1,860,512	5/31/32	E. Ricard et al.	Manufacture of anhydrous acetic acid.
1,860,553	5/31/32	E. Ricard et al.	Process for the extraction in the anhydrous state of fatty acids contained in dilute aqueous solutions.
1,862,706	6/14/31	E. Ricard et al.	Continuous process for separating organic liquids.
1,868,076	7/19/32	E. Ricard	Continuous process for the manufacture of ether oxides of the fatty series either simple or combined.
1,884,241	10/25/32	E. Ricard et al.	Process of extracting acetic acid from pyrolineous substances.
1,912,010	5/30/33	E. Ricard et al.	Direct rectifying process and apparatus for production of pure alcohol.
1,915,002	6/20/33	E. Ricard et al.	Process of obtaining acetic acid in anhydrous state from aqueous solutions.
1,929,601	10/10/33	E. Ricard et al.	Process for the separation of liquids.
1,937,272	11/23/33	H. Guinot	Preparation of diacetone alcohol.
1,965,529	7/10/34	H. Guinot	Method of producing methyl isobutyl carbinol.
1,969,237	8/7/34	E. Ricard et al.	Manufacture of acetic and lactic acids.
1,973,529	9/11/34	H. Guinot	Method of rectifying alcohol.
1,982,160	11/27/34	H. Guinot	Manufacture of acetic acid from alcohol.
2,053,029	9/1/36	H. Guinot	Process for the manufacture of esters of aliphatic acids.
2,053,193	9/1/36	H. Guinot	Process for the manufacture of aliphatic primary amines.
2,130,613	11/15/38	H. Guinot	Process for manufacture of esters especially of ethyl acetate.
2,139,953	12/13/38	H. Guinot	Hydration of olefines.
2,144,053	1/17/39	H. Guinot	Apparatus for reacting gases and liquids.
2,159,146	5/23/39	H. Guinot	Separation of acetic anhydride.
2,162,011	6/13/39	H. Guinot	Dehydrogenation of saturated hydrocarbons.
2,164,240	6/27/39	H. Guinot	Manufacture of chlorohydrins.
2,167,203	7/25/39	H. Guinot	Process of manufacture of ketones and alcohols from olefines.
2,181,454	11/23/39	H. Guinot	Vulcanization accelerators and process for their production.
2,194,851	3/26/40	H. Guinot	Dehydration of organic liquids by azeotropic distillation.
2,237,866	4/8/41	H. Guinot	Preparation of di-olefines.
2,246,937	6/24/41	H. Guinot	Polymerization of di-olefines.
2,273,484	2/17/42	H. Guinot	Process for manufacturing synthetic rubber from furfural.

[F. R. Doc. 43-15690; Filed, September 27, 1943; 10:48 a. m.]

## [Vesting Order 2036]

JUNKERS, FLUGZEUG-UND-MOTORENWERKE,  
ET AL.

Re: Interest of Junkers Flugzeug-und-Motorenwerke, Aktiengesellschaft in an agreement with Engineering & Research Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Junkers Flugzeug-und-Motorenwerke, Aktiengesellschaft is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Junkers Flugzeug-und-Motorenwerke, Aktiengesellschaft;

3. That the property described as follows: All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Junkers Flugzeug-und-Motorenwerke, Aktiengesellschaft by virtue of an agreement dated May 18 and 20, 1937 (including all modifications thereof and supplements thereto, if any) by and between Junkers Flugzeug-und-Motorenwerke, Aktiengesellschaft and Engineering & Research Corporation, which agreement relates, among other things, to United States Letters Patent No. 2,010,998,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

Hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 25, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-15691; Filed, September 27, 1943; 10:48 a. m.]

[Vesting Order 2039]

WALDEMAR PETERSEN, ET AL.

Re: Interest of Waldemar Petersen in an agreement with General Electric Company, relating to Patent Number 1,537,371.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Waldemar Petersen is a resident of Germany and is a national of a foreign country (Germany);

2. That the property identified in subparagraph 3 hereof is property of Waldemar Petersen;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Waldemar Petersen by virtue of an agreement dated July 9, 1925 (including all modifications thereof or supplements thereto, if any) by and between Waldemar Petersen and General Electric Company, relating, among others, to patent number 1,537,371, issued May 12, 1925, inventor Waldemar Petersen, for improvements in the Protection of Alternating Electric Current Systems,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

Hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 27, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-15692; Filed, September 27, 1943; 10:48 a. m.]

[Vesting Order 2040]

GIOVANNI B. CRESPI

Re: Reissue Patent of Giovanni B. Crespi, Ceriana, Italy.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Giovanni B. Crespi is a resident of Italy and is a national of a foreign country (Italy);

2. That the property described in subparagraph 3 hereof is property of Giovanni B. Crespi;

3. That the property described as follows: All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patent:

Reissue No., Date of Issue, Inventor, Title  
22,050, 3-24-42, Giovanni B. Crespi, Ceriana, Italy; Method of forming basic lining of furnaces,

is property of a national of a foreign country (Italy);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

Hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 27, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-15693; Filed, September 27, 1943; 10:48 a. m.]

[Vesting Order 2044]

HELMUT LEGERLOTZ

Re: Interests of Helmut Legerlotz, in a contract relating to patents and a trademark.

Under the authority of the Trading with the Enemy Act, as amended and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Helmut Legerlotz is a citizen of Germany, that his last known address is Nice, France, and that he is a national of foreign countries (Germany and France),

2. That the property identified in subparagraph 3 hereof is property of Helmut Legerlotz.

3. That the property described as follows: All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of agreement hereinafter described, together with the right to sue therefor) created in Helmut Legerlotz, by virtue of an agreement dated April 24, 1928 (including all modifications of and supplements to said agreement, including, but without limitation, a letter from Frederick Stearns & Company to Helmut Legerlotz and Syngala, G. m. b. H., dated March 9, 1928, a letter from Syngala, G. m. b. H. to Frederick Stearns & Company, dated January 10, 1936, and a letter from Helmut Legerlotz to Frederick Stearns & Company, dated January 26, 1936) by and between Helmut Legerlotz, Chemische Fabrik Syngala, G. m. b. H. and Frederick Stearns & Company, relating among others to Patent No. 1,905,502, issued July 3, 1934, inventor, Helmut Legerlotz, for making Optically Active Phenylalcanines.

is property payable or held with respect to patents and trademarks or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of foreign countries (Germany and France);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

Hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person except a national of a designated enemy country, asserting any

claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 1, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-15694; Filed, September 27, 1943; 10:49 a. m.]

[Vesting Order 2045]

R. H. H. GEFFCKEN, ET AL.

Re: Rights of R. H. H. Geffcken and H. R. Richter by virtue of a verbal promise made by Radio Patents Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Rudolf Heinrich Hermann Geffcken and Hans Rudolf Richter are residents of Germany and are nationals of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Rudolf Heinrich Hermann Geffcken and Hans Rudolf Richter;

3. That the property described as follows: All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the promise hereinafter described, together with the right to sue therefor) created in Rudolf Heinrich Hermann Geffcken and Hans Rudolf Richter, and each of them, by virtue of a verbal promise made in the year 1935 (including all modifications of and supplements to said promise) by Radio Patents Corporation to said Rudolf H. H. Geffcken and Hans R. Richter, relating, among other things, to United States Patent No. 2,034,450,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

Hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate

that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 1, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-15695; Filed, September 27, 1943; 10:49 a. m.]

[Vesting Order 2046]

PAUL LIEBERKNECHT, ET AL.

Re: United States Letters Patent owned by Paul Lieberknecht and Maschinenfabrik Einsiedel G. m. b. H.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Paul Lieberknecht is a resident of Germany, and Maschinenfabrik Einsiedel G. m. b. H. is a corporation organized under the laws of Germany and each is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Paul Lieberknecht and Maschinenfabrik Einsiedel G. m. b. H.;

3. That the property described as follows: All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the United States Letters Patents identified in Exhibit A attached hereto and made a part hereof,

is property of nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

Hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be de-

termined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained

shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 1, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

#### EXHIBIT A

Patent No.	Date of issue	Title	Inventor
1,799,429	4/7/31	Cam-shaft control for straight bar knitting machines...	Paul Lieberknecht, Germany.
1,822,597	9/8/31	Lever shaft driving device of flat-full fashioned machines...	Paul Lieberknecht, Germany.
1,828,935	10/27/31	Means for producing fashioned goods on straight bar knitting machines.	Paul Lieberknecht, Germany.
1,867,099	5/3/32	Vibration-free drive for shaft and cam actuated members or flat-full fashioned machines.	Paul Lieberknecht, Germany.
1,867,703	7/19/32	Device for coarse and fine setting of the loop length in flat hosiery machines.	Paul Lieberknecht, Germany.
1,867,704	7/19/32	Device on flat knitting machines for producing goods patterned by reinforcement.	Paul Lieberknecht, Germany.
1,867,705	7/19/32	Auxiliary drive for flat hosiery frames.....	Paul Lieberknecht, Germany.
1,911,833	5/30/33	Hosiery frames.....	Paul Lieberknecht, Germany.

[F. R. Doc. 43-15696; Filed, September 27, 1943; 10:49 a. m.]

[Vesting Order 2047]

SOCIETE ANONYME DES ATELIERS BRILLIE FRERES

Re: Interest of Societe Anonyme des Ateliers Brillie Freres in an Agreement with Jaeger Watch Company, Inc.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Societe Anonyme des Ateliers Brillie Freres is a business organization organized under the laws of and having its principal place of business in France and is a national of a foreign country (France);

2. That the property identified in subparagraph 3 hereof is property of Societe Anonyme des Ateliers Brillie Freres;

3. That the property described as follows: All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Societe Anonyme des Ateliers Brillie Freres by virtue of an agreement dated December 20, 1932 and February 21, 1933 (including all modifications thereof or supplements thereto, if any) by and between Societe Anonyme des Ateliers Brillie Freres and Jaeger Watch Company, Inc., relating, among others, to patent number 1,826,719, issued October 13, 1931, inventor Constant Battagay, for Self Oscillating Electric Clock,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (France);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

Hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 1, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-15697; Filed, September 27, 1943; 10:49 a. m.]

[Vesting Order 2048]

I. G. FARBENINDUSTRIE A. G.

Re: Interest of I. G. Farbenindustrie Aktiengesellschaft in contracts with The Selden Company and American Cyanamid Company and others.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That I. G. Farbenindustrie Aktiengesellschaft is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property identified in subparagraph 3 hereof is property of I. G. Farbenindustrie Aktiengesellschaft;

3. That the property described as follows: Property identified in Exhibit A attached hereto and made a part hereof,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

Hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 1, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

#### EXHIBIT A

(a) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights, and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in I. G. Farbenindustrie Aktiengesellschaft by virtue of an agreement dated November 28, 1931 (including all modifications thereof and supplements thereto, if any, and including specifically any licenses, express or implied, granted to I. G. Farbenindustrie Aktiengesellschaft under Patents Nos. 1,709,853 or 1,809,752, whether such licenses were created by said agreement or any document executed pursuant thereto, or whether such licenses are implied in said agreement or any documents executed pursuant thereto) by and between I. G. Farbenindustrie Aktiengesellschaft, American Cyanamid Company and The Selden Company, which agreement relates, among other things, to United States Letters Patent No. 1,709,853;

(b) All interests and rights (including all royalties and other monies payable or held

with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in I. G. Farbenindustrie Aktiengesellschaft by virtue of an agreement granting a license to I. G. Farbenindustrie Aktiengesellschaft (including all modifications thereof and supplements thereto, if any) executed under date of November 10, 1931 by The Selden Company, which license relates, among other things, to United States Letters Patent No. 1,714,956;

(c) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in I. G. Farbenindustrie Aktiengesellschaft by virtue of an agreement dated January 3, 1936 (including all modifications thereof and supplements thereto, if any) by and between I. G. Farbenindustrie Aktiengesellschaft and National Aniline & Chemical Company, which agreement relates, among other things, to United States Letters Patent No. 1,787,410;

[F. R. Doc. 43-15638; Filed, September 27, 1943; 10:49 a. m.]

#### [Vesting Order 2049]

#### I. G. FARBEINDUSTRIE A. G.

Re: Interests of I. G. Farbenindustrie Aktiengesellschaft in an assignment to Du Pont and a contract with Rohm & Haas Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That I. G. Farbenindustrie Aktiengesellschaft is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of I. G. Farbenindustrie Aktiengesellschaft;

3. That the property described as follows: Property identified in Exhibit A attached hereto and made a part hereof,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

Hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order

may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 1, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

#### EXHIBIT A

(a) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in I. G. Farbenindustrie Aktiengesellschaft by virtue of an agreement dated March 2, 1934 (including all modifications thereof and supplements thereto, if any) by and between said I. G. Farbenindustrie Aktiengesellschaft and E. I. Du Pont de Nemours & Company, which agreement relates, among other things, to United States Letters Patent No. 2,044,747.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights, and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in I. G. Farbenindustrie Aktiengesellschaft by virtue of an agreement dated November 22, 1934 (including all modifications thereof and supplements thereto, if any) by and between said I. G. Farbenindustrie Aktiengesellschaft and Rohm & Haas Company, which agreement relates, among other things, to the production of alkylid resins.

[F. R. Doc. 43-15639; Filed, September 27, 1943; 10:50 a. m.]

#### [Vesting Order 2023]

#### METALLGESELLSCHAFT AKTIENGESellschaft

Re: Interest of Metallgesellschaft Aktiengesellschaft, a national of Germany, in United States Letters Patent No. 1,860,947.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Metallgesellschaft Aktiengesellschaft is a corporation organized under the laws of Germany and is therefore a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is the property of Metallgesellschaft Aktiengesellschaft;

3. That the property described as follows: An undivided  $\frac{1}{2}$  (50%) interest, which stands of record in the United States Patent Office in the name of Metallgesellschaft Aktiengesellschaft, in and to the following patent:

Patent No.	Date of Issue	Inventor	Title
1,860,947	5-31-32	Aladar Pezz, Cleveland, Ohio.	Aluminum Alloy Casting and Process of Making the Same.

including all royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof to which the owner of such interest is entitled,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

Hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on August 25, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-15687; Filed, September 27, 1943; 10:47 a. m.]

## OFFICE OF PRICE ADMINISTRATION.

### LIST OF INDIVIDUAL ORDERS GRANTING ADJUSTMENTS, ETC., UNDER PRICE REGULATIONS

The following orders were filed with the Division of the Federal Register on September 25, 1943.

#### Order Number and Name

RPS 56, Order 7, Great American Industries.  
RMFR 161, Order 31, William A. Arey, et al.

Copies of these orders may be obtained from the Printing and Distribution Branch of the Office of Price Administration.

ERVIN H. POLLACK,  
Head, Editorial and Reference Section.

[F. R. Doc. 43-15736; Filed, September 28, 1943; 9:28 a. m.]

[Order 30 Under Rev. MPR 161]

### WEST COAST LOGS

#### OVERTIME ADDITIONS

Pursuant to the provisions of § 1381-156 of Revised Maximum Price Regulation No. 161—West Coast Logs, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) *New authorizations.* The following persons, being on a 48-hour week, may add to the maximum prices of all logs produced and sold by them \$1.00 per thousand feet, log scale, on sales made on and after the effective date indicated.

#### Name, Address, and Effective Date

P. H. Brudevold Co., Raymond, Washington, July 5, 1943.  
Gibson & Catron Logging Co., Langley, Washington, July 1, 1943.  
Haddock Construction Co., Olympia, Washington, June 1, 1943.  
H. & H. Logging Co., Olympia, Washington, June 1, 1943.  
Klement Timber Company, Fortson, Washington, April 1, 1943.  
Larimore & Carroll, Hood River, Oregon, June 10, 1943.

Name	Address	New No. of hours	Additions now authorized	Effective date
Kay Logging Co.	Seattle, Wash.	48	\$1.00	Sept. 1, 1943
Elmer E. Watters	Lebanon, Oreg.	54	1.00	Apr. 1, 1943

(d) *Cancellations.* The following authorizations are cancelled, and no additions are permitted on sales made on and after the effective date indicated.

#### Name, Address, and Effective Date

Ed Hobl Logging Company, Aberdeen, Washington, May 15, 1943.  
Quinault Logging Company, Aberdeen, Washington, April 1, 1943.  
Thompson Lumber & Piling Co., Portland, Oregon, July 1, 1943.

This order shall become effective September 28, 1943.

Issued this 27th day of September 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-15727; Filed, September 28, 1943; 9:19 a. m.]

### Regional and District Office Orders.

[Region II Order G-8 Under MPR 165]

### SCAVENGER SERVICE RATES IN MONROE COUNTY, NEW YORK

Order No. G-8 under § 1499.114 (d) of Maximum Price Regulation No. 165, as amended—Services.

Upon the basis of facts presently before it, the New York Regional Office of the Office of Price Administration has decided on its own motion that a price adjustment should be made as to all those persons who supply refuse and garbage disposal services to individual users on a private or contract fee basis in Monroe County, New York, including the suburbs of the city of Rochester, but not including the city of Rochester itself.

L. J. Mitchell Logger, Raymond, Washington, August 12, 1943.

McIntyre & Kopperman Logging Co., Gig Harbor, Washington, July 1, 1943.

Powers-Davis Lumber Company, Lebanon, Oregon, July 1, 1943.

Wornstaff & Barker, Milwaukie, Oregon, August 1, 1943.

(b) The following persons, being on a 54-hour week, may add to the maximum prices of all logs produced and sold by them, \$1.50 per thousand feet, log scale, on sales made on and after the effective date indicated:

#### Name, Address, and Effective Date

Dosser & Clark, Colton, Oregon, July 1, 1943.

Elmer H. Hitchman, Garibaldi, Oregon, June 1, 1943.

Looney & Winney, Salem, Oregon, July 1, 1943.

Miles Crossing Logging Co., Astoria, Oregon, August 1, 1943.

J. R. Nixon, Lebanon, Oregon, August 1, 1943.

(c) *Change of status.* The following companies which have heretofore been authorized to make specific additions, are now authorized to make the following additions, since the number of hours maintained have been changed effective on the date indicated:

Accordingly, for the reasons set forth in the opinion hereto attached, and pursuant to the provisions of § 1499.114 (d) of Maximum Price Regulation No. 165, as amended—Services, and the Emergency Price Control Act of 1942 as amended; *It is hereby ordered:*

(a) From and after the effective date of this order, the legal maximum prices which may be charged by any person who supplies refuse and garbage disposal services to individual users on a private or contract fee basis in any community in Monroe County, New York, including the suburbs of the city of Rochester, but not including the city of Rochester itself, shall be as follows:

(1) For any person whose present legal maximum price is \$1.00 or less per customer-family per month—\$1.00 per customer-family per month;

(2) For any person whose present legal maximum price is more than \$1.00 per customer-family per month—his present legal maximum price.

(b) Any supplier of services, as defined in this order, who is hereby permitted to increase his present legal maximum price shall inscribe upon each bill rendered to any customer the following statement:

OPA permitted monthly rate of \$1.00 to maintain supply.

(c) Customary allowances, discounts or other price differentials may not be changed unless such change results in prices lower than the price permitted by this order after the service supplier has applied his customary allowances, discounts or other price differentials.

(d) Except as expressly provided by this order, all the service suppliers af-



affected hereby shall remain subject in all respects to all of the provisions of Maximum Price Regulation No. 165, as amended—Services.

(e) This order may be revoked or amended by the Regional Administrator or the Price Administrator through the issuance at any time hereafter of any order or price regulation, or amendment or supplement thereto.

(f) The effective date of this order shall be October 1, 1943.

Dated September 23, 1943.

SYLVAN L. JOSEPH,  
Regional Administrator.

[F. R. Doc. 43-15760; Filed, September 28, 1943; 9:39 a.m.]

[Region VI Order G-1 Under MPR 251]

#### PLUMBING SERVICES IN SIOUX FALLS, S. D.

Order No. G-1 under § 1397.68 (b) of Maximum Price Regulation No. 251. Construction and maintenance services and sales of building and industrial equipment and materials on an installed or erected basis. Adjustment of maximum prices for domestic plumbing services for Sioux Falls, South Dakota.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1397.68 (b) of Maximum Price Regulation No. 251; *it is hereby ordered:*

(a) *Maximum prices.* The maximum customers' hourly rate for domestic plumbing services supplied by contractors located within the city of Sioux Falls, South Dakota, shall be 1.75 for the first hour or any part thereof plus 87½¢ for each succeeding half hour period: *Provided*, That if the time consumed after any full hour of service does not exceed fifteen minutes, no additional charge may be made.

(b) Except as otherwise herein provided, the provisions of Maximum Price Regulation No. 251 shall apply.

(c) This order may be amended, modified or revoked at any time.

(d) This order shall be effective September 14, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of September 1943.

RAYMOND S. McKEOUGH,  
Regional Administrator.

[F. R. Doc. 43-15752; Filed, September 28, 1943; 9:41 a.m.]

[Region VI Order G-12 Under MPR 329]

#### MILK IN GRAND ISLAND, NEBR.

Order No. G-12 under Maximum Price Regulation No. 329. Purchase of milk from producers for resale as fluid milk. Adjustment of fluid milk prices for Grand Island, Nebraska.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 of Maximum

Price Regulation No. 329; *It is hereby ordered:*

(a) The maximum price which distributors may pay to producers for Grade A milk sold for human consumption in fluid form shall be \$2.85 per cwt. for 3.5 per cent milk, plus not more than 5¢ for each ¼ of a pound of butterfat in excess of 3.5 per cent and minus not less than 5¢ for each ¼ of a pound of butterfat below 3.5 per cent.

(b) This order shall apply to all purchases of milk by distributors selling 50 per cent or more of their total volume of milk within Grand Island, Nebraska.

(c) Unless the context otherwise requires, the definitions set forth in § 1351.404 of Maximum Price Regulation 329 and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(d) This order may be revoked, amended, or corrected at any time.

This order shall become effective August 28, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 23d day of August 1943.

RAYMOND S. McKEOUGH,  
Regional Administrator.

[F. R. Doc. 43-15753; Filed, September 28, 1943; 9:41 a.m.]

[Cheyenne Order G-1 Under MPR 426]

#### LETTUCE IN CHEYENNE, WYO.

For the reasons set forth in an opinion issued simultaneously herewith, this Order G-1 of Wyoming District Office under MPR 426 is hereby issued.

*What this order does.* Column 7, Appendix A, Lettuce, of MPR 426 is amended to read as follows:

Maximum prices for less than carlot or less than trucklot sales to any person except ultimate consumers.

Maximum prices for carlot or trucklot sales (Col. 6) plus 90 cents.

Maximum prices for carlot or trucklot sales (Col. 6) plus 1½ cents per lb.

Maximum price for carlot or trucklot sales (Col. 6) plus 1½ cents per lb.

*Applicability.* The terms of this order shall apply to all wholesalers delivering lettuce in less than carlot or less than trucklot sales to any person other than ultimate consumers within the State of Wyoming.

*Effective date.* This order shall become effective on September 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4631; MPR 426, Region VII, Del. Order No. 16)

Issued this 17th day of September 1943.

H. D. WATENBAUGH,  
District Director.

[F. R. Doc. 43-15755; Filed, September 28, 1943; 9:42 a.m.]

[Region VIII Order G-3 Under 18 (c) of GMPR]

#### FLUID MILK IN OKANAGAN COUNTY, WASH.

Order No. G-3 under § 1499.18 (c) of the General Maximum Price Regulation,

as amended. Correction to Amendment No. 27.

Amendment No. 27 to Order No. G-3 issued under § 1499.18 (c) of the General Maximum Price Regulation, as amended, issued under § 1499.18 (c) of the General issuance, setting adjusted maximum prices for the County of Okanagan, in the State of Washington, is redesignated as Amendment No. 28.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7851)

Issued this 18th day of August 1943.

L. F. GENTNER,  
Acting Regional Administrator.

[F. R. Doc. 43-15758; Filed, September 23, 1943; 9:38 a.m.]

[Region VIII Order G-4 Under MPR 154, Amdt. 1]

#### ICE AT MESA, ARIZONA

Amendment No. 1 to Order No. G-4 under Maximum Price Regulation No. 154—Ice.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1393.8 (e) of Maximum Price Regulation No. 154, Order No. G-4 under § 1393.8 (e) of Maximum Price Regulation No. 154 is hereby amended as set forth below:

(a) Paragraph (b) of said Order No. G-4 is hereby stricken out.

(b) Paragraph (c) is redesignated (b).

This amendment shall become effective upon its issuance.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of August 1943.

L. F. GENTNER,  
Acting Regional Administrator.

[F. R. Doc. 43-15756; Filed, September 28, 1943; 9:38 a.m.]

#### SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54-67, 59-64]

PEOPLES LIGHT AND POWER CO., ET AL.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 23d day of August, A. D. 1943.

In the matter of Peoples Light and Power Company and Subsidiary Companies, File No. 54-67; Peoples Light and Power Company, California Public Service Company, Texas Public Service Farm Company, West Coast Power Company, and Western States Utilities Company, File No. 59-64.

The Commission having on March 9, 1943 instituted proceedings under sections 11 (b) (1) and 11 (b) (2) against Peoples Light and Power Company, a registered holding company, and its subsidiaries, and the said proceedings hav-

ing been consolidated for the purpose of hearing with an application filed by Peoples Light and Power Company with respect to a plan pursuant to section 11 (e) of the Public Utility Holding Company Act; and

Peoples Light and Power Company and Western States Utilities Company, one of its subsidiaries, having filed a declaration in the form of an amendment to the above plan proposing the sale of all the outstanding capital stock of Western States Utilities Company to Gerald L. Schlessman for the sum of \$142,500 in cash; and

Peoples Light and Power Company and Western States Utilities Company having requested that the Commission enter an order requiring the sale of said capital stock of Western States Utilities Company as a transaction necessary to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935, and that such order contain the recitals and specifications described in sections 371 (b), 371 (f) and 1808 (f) of said Internal Revenue Code as amended; and

A public hearing having been held after appropriate notice, and the Commission having considered the record in this matter and having made and filed its findings and opinion herein; and the Commission having found that the sale of all the outstanding 2,500 shares of capital stock of Western States Utilities Company owned by Peoples Light and Power Company is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935;

It is ordered, That the said declaration of Peoples Light and Power Company and Western States Utilities Company be and hereby is permitted to become effective;

It is hereby further ordered, That the sale of all the outstanding 2,500 shares of capital stock of Western States Utilities Company by Peoples Light and Power Company be and hereby is found to be necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-15676; Filed, September 27, 1943; 10:06 a. m.]

[File Nos. 54-67, 59-64, 70-723]

PEOPLES LIGHT AND POWER CO., ET AL.

#### ORDER REVOKING ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 23d day of September 1943.

In the matter of Peoples Light and Power Company and subsidiary companies, applicants, File No. 54-67; Peoples Light and Power Company, California Public Service Company, Texas Public Service Company, Texas Public Service Farm Company, West Coast Power Company and Western States Utilities Com-

pany, respondents, File No. 59-64; Consolidated Electric and Gas Company and Peoples Gas Company, File No. 70-723.

It is hereby ordered, That the order heretofore published in the above-entitled matter in the FEDERAL REGISTER on August 25, 1943, in Volume 8, Number 168, at page 11774, as Federal Register Document No. 43-13777, be, and is hereby, revoked.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-15675; Filed, September 27, 1943; 10:06 a. m.]

[File Nos. 54-69, 59-65]

#### OGDEN CORPORATION AND SUBSIDIARY COMPANIES

##### NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 25th day of September, A. D. 1943.

Notice is hereby given that an amendment to an application for approval of a plan under section 11 (e) of the Public Utility Holding Company Act of 1935 has been filed by Ogden Corporation, a registered holding company, pursuant to the applicable sections of the act and the rules promulgated thereunder.

All interested persons are referred to said document, which is on file in the offices of the Commission, for a statement of the transactions therein proposed which are summarized as follows:

Ogden Corporation proposes to sell 91,577 shares of common stock, no par value, of Derby Gas & Electric Corporation by means of competitive bidding pursuant to the provisions of Rule U-50 promulgated under the Public Utility Holding Company Act of 1935. Derby Gas & Electric Corporation, a registered holding company and a subsidiary of Ogden Corporation, owns all the outstanding stock of The Derby Gas & Electric Company, The Wallingford Gas Light Company, and The Derby Gas and Electric Corporation of Connecticut (inactive).

Ogden Corporation states that it desires to consummate the aforesaid transactions in order to comply with the Commission's order of May 20, 1943 approving a plan filed by Ogden Corporation and subsidiaries under section 11 (e) of the Act designed to enable the Ogden holding company system to conform with the requirements of section 11 (b) of the Act and directing Ogden Corporation, among other things, to divest itself of all its interest in all of its subsidiaries which are registered holding companies or public utility companies.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to said matter and that the said amendment of Ogden Corporation shall not be permitted to become effective or granted except pursuant to further order of this Commission.

It is ordered, That a hearing on said matter under the applicable provisions of said Act and rules of the Commission thereunder be held on October 13, 1943 at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room in which the hearing will be held.

It is further ordered, That any person desiring leave to be heard in connection with these proceedings or permission to intervene therein shall, on or before the 9th of October, 1943, file a written application with the Secretary of the Commission in accordance with the provisions of Rule XVII of the Commission's Rules of Practice.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That, without limiting the scope of the issues presented by said amendment, particular attention will be directed at the hearing held on the aforesaid matter to the following matters and questions:

(1) Whether the proposed transactions are necessary to effectuate the provisions of section 11 (b) of the Act;

(2) What accounting adjustments should be made in connection with the proposed transactions;

(3) Whether the consideration to be received by Ogden Corporation is reasonable;

(4) Whether the fees and expenses, paid directly or indirectly, are reasonable;

(5) Whether it is necessary or appropriate in the public interest or for the protection of investors and consumers to impose any terms and conditions and, if so, what terms and conditions should be imposed.

It is further ordered, That the Secretary of this Commission shall serve notice of this order by mailing a copy thereof by registered mail to Ogden Corporation and subsidiaries and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-15677; Filed, September 27, 1943; 10:05 a. m.]

[File No. 59-4]

#### ENGINEERS PUBLIC SERVICE COMPANY AND ITS SUBSIDIARY COMPANIES

##### INTERIM ORDER AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 23d day of September 1943.

The Commission having heretofore on September 16, 1942 entered its order, pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935, directing Engineers Public Service Company and El Paso Electric Company (Delaware) to sever their relationships with certain of their subsidiary companies and to dispose of certain properties and businesses;

Engineers Public Service Company and El Paso Electric Company (Delaware), respondents herein, having on August 31, 1943 filed an application pursuant to section 11 (c) of said Act for an extension of an additional year within which to comply with the Commission's order of September 16, 1942, above described;

It appearing to the Commission, in view of the pendency of proceedings for review, under section 24 (a) of the Act, of said order of September 16, 1942, that it is appropriate to extend the time for compliance with such order for an additional period to and including December 16, 1943, without prejudice to the granting of subsequent extensions for such additional periods as may hereafter be found appropriate;

It is hereby ordered, That the time for compliance with said order of September 16, 1942 be and hereby is extended for an additional period to and including December 16, 1943;

It is further ordered, That the Commission reserves jurisdiction pursuant to said application for extension, to grant such additional extensions of time and to hold such hearing or hearings in connection therewith as may hereafter be deemed appropriate.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-15678; Filed, September 27, 1943; 10:05 a. m.]

[File No. 59-10]

#### THE NORTH AMERICAN COMPANY AND ITS SUBSIDIARY COMPANIES

##### ORDER GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 23d day of September 1943.

The Commission having, by an order dated April 14, 1942, entered in the above styled and numbered matter pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935, directed The North American Company, a registered holding company, to divest itself, with minor exceptions, of all its assets other than the securities of Union Electric Company of Missouri and its subsidiaries; and having by the terms of said order reserved jurisdiction to enter such further orders as it might deem necessary or appropriate; and

The respondent, The North American Company, having filed an application pursuant to section 11 (c) of said Act requesting an extension of time for one year within which to comply with said order of April 14, 1942; and

The Commission having made and filed its findings herein:

It is ordered, That The North American Company be and hereby is granted an additional period of one year from April 14, 1943 within which to comply with said order of April 14, 1942.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-15679; Filed, September 27, 1943; 10:05 a. m.]

[File No. 70-666, 70-786]

#### GENERAL WATER GAS & ELECTRIC CO., ET AL.

##### NOTICE OF FILING AND ORDER RECONVENING HEARING AND DIRECTING CONSOLIDATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 25th day of September, A. D. 1943.

In the matters of General Water Gas & Electric Company, Walnut Electric & Gas Corporation and International Utilities Corporation, File No. 70-666; Southwestern Public Service Company, File No. 70-786.

General Water Gas & Electric Company ("General"), a registered holding company and a subsidiary of International Utilities Corporation ("International"), and Walnut Electric & Gas Corporation ("Walnut"), its wholly owned subsidiary, having previously filed a declaration or application (or both) and amendments thereto, pursuant to the Public Utility Holding Company Act of 1935, relating to the proposed dissolution of Walnut and the proposed transfer of its assets, consisting substantially of the outstanding securities of Oklahoma Electric & Water Company ("Oklahoma"), a wholly owned subsidiary of Walnut, to General in satisfaction of the remaining amount of promissory note indebtedness (with accrued interest thereon) due to General and in cancellation of its outstanding shares of stock; and

The Commission having held hearings on the above matter and the record therein having been closed on April 2, 1943;

Notice is hereby given that an amendment to the aforesaid application or declaration has been filed by General and Walnut and an application or declaration has been filed by Southwestern Public Service Company ("Southwestern"), a registered holding company, pursuant to applicable sections of the Act and the rules promulgated thereunder.

All interested persons are referred to said amendment and application or declaration for a statement of the transactions therein proposed which are summarized as follows:

Walnut proposes to sell and Southwestern proposes to buy the outstanding securities of Oklahoma consisting of a promissory note in the principal amount of \$500,000 and 17,500 shares of common stock of \$10 par value per share, for the sum of \$510,000 in cash plus or minus

an amount equal to the increase or decrease in the earned surplus of Oklahoma for the period from April 30, 1943 to the end of the month next preceding the date of settlement.

Upon consummation of such sale and concurrently with or prior to the final dissolution of Walnut that company proposes to apply part of the proceeds of said sale to pay to International the sum of \$37,984.27, with interest from May 18, 1940 (amounting to \$8,024.21 as of July 31, 1943), in liquidation of the balance of a promissory note of Walnut held by International. Walnut also proposes to deliver to General by way of a dividend, or as a distribution in liquidation, all of its remaining assets and thereafter General intends to apply a sum equal to the balance of the net proceeds of the sale to the further reduction of its bank loan, now outstanding in the amount of \$1,060,000.

Upon the acquisition of the securities of Oklahoma, Southwestern contemplates taking all steps necessary to effect the complete liquidation of Oklahoma, and in such liquidation proposes to acquire all the properties and assets of Oklahoma by causing Oklahoma to declare and pay a dividend or dividends in complete liquidation, such dividend or dividends to consist of all of the properties and assets of Oklahoma as the same shall then exist subject to all of its then existing liabilities.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to said matters and that the amendment of General and Walnut and the application or declaration of Southwestern shall not be granted or permitted to become effective except pursuant to further order of this Commission; and

It further appearing to the Commission that the foregoing matters under File Nos. 70-666 and 70-786 are related and involve common questions of law and fact; that evidence offered in respect to each of said matters will have a bearing on the other matters, and that substantial savings of time, effort and expense will result if the hearings on these matters are consolidated so that they may be heard as one matter, and so that evidence adduced in each matter may stand as evidence in the other for all purposes;

It is ordered, That the proceeding "In the Matter of General Water Gas & Electric Company, Walnut Electric & Gas Corporation and International Utilities Corporation, File No. 70-666" be reconvened and consolidated with the proceeding on the application or declaration filed by Southwestern Public Service Company, File No. 70-786, the Commission reserving the right, if at any time, it may appear conducive to an orderly and economical disposition of any of said matters to order a separate hearing concerning such matter, and to close the record with respect to any of the matters prior to the closing of the record in any other matter.

It is further ordered, That a consolidated hearing on such matters under the

applicable provisions of said Act and Rules of the Commission thereunder be held on October 5, 1943 at 11:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such date the hearing room clerk in Room 318 will advise as to the room where such hearing will be held. At such hearing cause will be shown why such amendment and such application or declaration shall become effective or shall be granted.

*It is further ordered,* That any person desiring to be heard or otherwise wishing to participate herein shall notify the Commission to that effect in the manner provided in Rule XVII of the Commission's Rules of Practice on or before October 4, 1943.

*It is further ordered,* That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Act and to a trial examiner under the Commission's Rules of Practice.

*It is further ordered,* That, without limiting the scope of the issues presented by said amendment and application or declaration, particular attention will be directed at the said hearing to the following matters and questions:

(1) Whether the proposed transactions are in compliance with applicable provisions of the Act;

(2) Whether the consideration to be paid by Southwestern and to be received by Walnut for the securities of Oklahoma is fair and reasonable;

(3) Whether the acquisition by Southwestern of Oklahoma will serve the public interest by tending toward the economical and efficient development of an integrated public utility system and will not be detrimental to the carrying out of the provisions of section 11 of the Act;

(4) Whether the accounting entries to be made in connection with the proposed transactions and the adjustment of accounts incident thereto are in accord with sound and accepted principles of accounting;

(5) Whether it is necessary or appropriate in the public interest or for the protection of investors and consumers to impose any terms and conditions and, if so, what terms and conditions should be imposed.

*It is further ordered,* That the Secretary of the Commission shall serve notice of the hearing aforesaid by mailing a copy of this order to General Water Gas & Electric Company, Walnut Electric & Gas Corporation, International Utilities Corporation, Southwestern Public Service Company and the Corporation Commission of the State of Oklahoma by registered mail, and that notice of said hearing be given to all persons by publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 43-15680; Filed, September 27, 1943; 10:05 a. m.]

[File No. 812-178]

# SCRIPPS-HOWARD INVESTMENT COMPANY

## NOTICE OF AND ORDER CONTINUING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 25th day of September, A. D. 1943.

An application having been duly filed by Scripps-Howard Investment Company for an order, pursuant to section 6 (b) and/or section 6 (c) of the Investment Company Act of 1940, exempting the applicant from the provisions of said Act and the rules and regulations promulgated by the Commission thereunder; and

The hearing in this matter having been held, and the Commission, by an order dated August 26, 1943, having permitted the applicant to file a formal amendment to its application on or before September 15, 1943, and having ordered that the hearing in this matter be reconvened on September 28, 1943; and

The applicant having requested an extension of the time within which it might file a formal amendment to its application and also having requested a continuance of such hearing;

*It is ordered,* That the applicant be permitted to file a formal amendment to its application on or before October 18, 1943; and

*It is further ordered,* That the record in this matter be reopened and a hearing ordered by this Commission under section 40 (a) of the Investment Company Act of 1940 be reconvened on October 28, 1943 at 10 a. m. eastern war time in Room 318, of the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania; and

*It is further ordered,* That Robert P. Reeder, Esquire, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing so ordered. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's Rules of Practice.

Notice of such hearing is hereby given to the applicant, to the American Newspaper Guild, and to any other persons whose participation in such proceeding may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 43-15682; Filed, September 27, 1943; 10:05 a. m.]

[File Nos. 70-768, 59-5]

# UNITED GAS CORP., ET AL.

## ORDER GRANTING APPLICATION, ETC.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 25th day of September, A. D. 1943.

In the matter of United Gas Corporation and Central and South West Utilities Company, File No. 70-768, and The Middle West Corporation and its subsidiary companies, File No. 59-5.

Central and South West Utilities Company, a registered holding company and a subsidiary of The Middle West Corporation, also a registered holding company, having filed a declaration and an amendment thereto pursuant to section 12 (d) of the Public Utility Holding Company Act of 1935, and United Gas Corporation, a subsidiary of Electric Power & Light Corporation, a registered holding company which in turn is a subsidiary of Electric Bond and Share Company, also a registered holding company, having filed an application and an amendment thereto pursuant to sections 9 (a) and 10 of the Act, both of which seek approval of a proposed transaction which may be summarized as follows:

(1) Southwestern Gas & Electric Company, a subsidiary of Central and South West Utilities Company, proposes to sell and United Gas Corporation proposes to acquire the gas distribution properties of the former located in and between the Cities of Biloxi, Hantsboro, Gulfport, Mississippi City, Long Beach and Pass Christian in the State of Mississippi as well as the gas distribution business incident thereto and all the assets of Southwestern Gas & Electric Company, real and personal (except cash and cash items) used in such natural gas distribution business for the sum of \$812,500 in cash, plus an additional amount for accounts receivable, materials and merchandise, subject to certain adjustments covering net additions to plant between May 1, 1943 and the date of the closing; and

The Commission having on March 1, 1940 instituted proceedings under section 11 (b) (1) against The Middle West Corporation and its subsidiary companies (File No. 59-5); and

Southwestern Gas and Electric Company having requested, in the event that an order of the Commission shall be entered permitting the above-mentioned declaration of Central and South West Utilities Company to become effective, that an order be entered requiring, authorizing, permitting or approving the sale of the properties above mentioned and approving the use of \$812,500 of the proceeds of said sale for the retirement of \$812,500 principal amount of its outstanding unsecured notes as necessary or appropriate to the integration or simplification of the holding company system of which Southwestern is a member, and as necessary or appropriate to effectuate the provisions of section 11 (b) of the Act, and that such order contain the recitals and specifications prescribed in section 371 of the Internal Revenue Code, as amended; and

The Commission having on August 13, 1943, issued its notice of filing and order reconvening hearing and directing consolidation, which order, among other things, consolidated the proceeding under File No. 59-5 with the proceeding upon the application of United Gas Corporation and the declaration of Central

and South West Utilities Company, and a consolidated hearing having been held in accordance therewith and the Commission having considered the record and having made and filed its findings and opinion herein;

*It is ordered,* Pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935 that The Middle West Corporation cease to own or operate, directly or indirectly, any properties or facilities now owned or operated by it, through Central and South West Utilities Company or Southwestern Gas and Electric Company in the gas distribution business in and between the Cities of Biloxi, Gulfport, Hattiesburg, Mississippi City, Long Beach and Pass Christian, in the State of Mississippi.

*It is further ordered,* That the application of United Gas Corporation, as amended, be, and hereby is, granted, and the declaration of Central and South West Utilities Company, as amended, be and hereby is, permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24 of the General Rules and Regulations promulgated under the Act.

*It is further ordered,* That the sale by Southwestern Gas and Electric Company of its said properties to United Gas Corporation and the use of the said portion of the proceeds thereof for the retirement of Southwestern's unsecured notes in the principal amount of \$812,500 are necessary or appropriate to the integration and simplification of the holding company system of which Southwestern Gas and Electric Company is a member, and are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935, within the meaning of section 371 of the Internal Revenue Code, as amended.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-15681; Filed, September 27, 1943; 10:05 a. m.]

[File No. 70-783]

#### CONSOLIDATED ELECTRIC AND GAS COMPANY AND BLUEFIELD GAS COMPANY

#### ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 27th day of September 1943.

Consolidated Electric and Gas Company, a registered holding company, and Bluefield Gas Company, a subsidiary thereof, having filed a declaration and amendments thereto pursuant to the Public Utility Holding Company Act of 1935, particularly sections 10, 12 (c),

and 12 (d) thereof, regarding the acquisition and retirement of all of the outstanding First Mortgage 25-year, 5% Gold Bonds, due October 1, 1937 of Bluefield Gas Company in the aggregate principal amount of \$100,000, all of which are owned by Consolidated Electric and Gas Company and pledged by it to secure its Collateral Trust Gold Bonds, and the creation of open account indebtedness in lieu thereof, a contract of sale having been executed for all of the assets of Bluefield Gas Company, the proceeds thereof to be deposited with the Trustees of the Collateral Trust Gold Bonds contemporaneously with the release of said First Mortgage Bonds of Bluefield Gas Company;

Said declaration having been filed on September 2, 1943 and amendments thereto having been filed on September 4 and 10, and notice of filing having been given in the form and manner prescribed in Rule U-23 under said Act and the Commission not having received a request for a hearing with respect to said declaration, as amended, within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the requirements of sections 10, 12-(c), and 12 (d) of said Act and Rules U-42 and U-43 promulgated thereunder are satisfied and that no adverse findings are necessary thereunder, and the Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective;

*It is hereby ordered,* Pursuant to Rule U-23 and the applicable provisions of said Act, and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid declaration be, and the same hereby is, permitted to become effective forthwith.

By the Commission.

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-15780; Filed, September 23, 1943; 11:59 a. m.]

#### WAR FOOD ADMINISTRATION.

##### RICE

#### DELEGATION OF AUTHORITY TO ADMINISTRATOR OR ALTERNATE ADMINISTRATOR

Pursuant to the authority vested in the Director of Food Distribution by Food Distribution Order 10, issued by the Secretary of Agriculture on January 21, 1943 (8 F.R. 1076), as amended on July 14, 1943 (8 F.R. 9863), the Administrator of Food Distribution Order 10, or in his absence or inability to act, the Alternate Administrator of Food Distribution Order 10, is hereby authorized, subject to the direction and under the

supervision of the Chief of the Grain Products Branch:

(1) To permit the transfer of quotas with respect to any State or the District of Columbia from one first owner to another: *Provided, That,*

(a) The first owner whose quota is to be transferred, files a written request for the transfer and a written agreement to refrain from delivering brown, undermilled, or milled rice under such quota to the extent that it has been transferred, and

(b) The first owner to whom the quota is to be transferred agrees in writing to the transfer;

(2) To establish a quota with respect to any State or the District of Columbia for any first owner who now operates a mill which was not in operation during the base period, August 1, 1941, to July 31, 1942: *Provided, That,* such quota shall be calculated upon the basis of historical data concerning the mill's operations in other years, or in the absence of such data, upon the basis of the estimated production of milled rice by such mill during the 1943-1944 season;

(3) To increase or decrease the quota of any miller affected by the said food order with respect to any State or the District of Columbia, where the distribution of rice from his mill during the base year was not representative of the normal yearly distribution of rice from such mill, or where such action is otherwise deemed necessary to insure the efficient and proper distribution of the available supply of rice due to a change in conditions resulting from Government regulations, population shifts, changes in transportation costs, or other events beyond the control of the miller;

(4) To defer the setting aside of milled rice by any first owner for a designated period of time, where the first owner requests such deferment and shows that the milled rice owned by him during such period will not grade No. 4, or better, of one of the classes I to X, inclusive, due to excess moisture: *Provided, That,* such action shall be upon the condition that the first owner shall during a designated later period of time set aside for sale to Governmental agencies a sufficient quantity of milled rice of the grade No. 4, or better, of one of the classes I to X inclusive, to constitute forty-five percent of the total brown, undermilled, or milled rice as to which he is a first owner during such periods.

The authority delegated herein shall be exercised in conformity with the provisions of Food Distribution Order 10, as amended.

Issued this 27th day of September 1943.

C. W. KITCHEN,  
Acting Director of Food Distribution.

[F. R. Doc. 43-15785; Filed, September 23, 1943; 11:22 a. m.]



